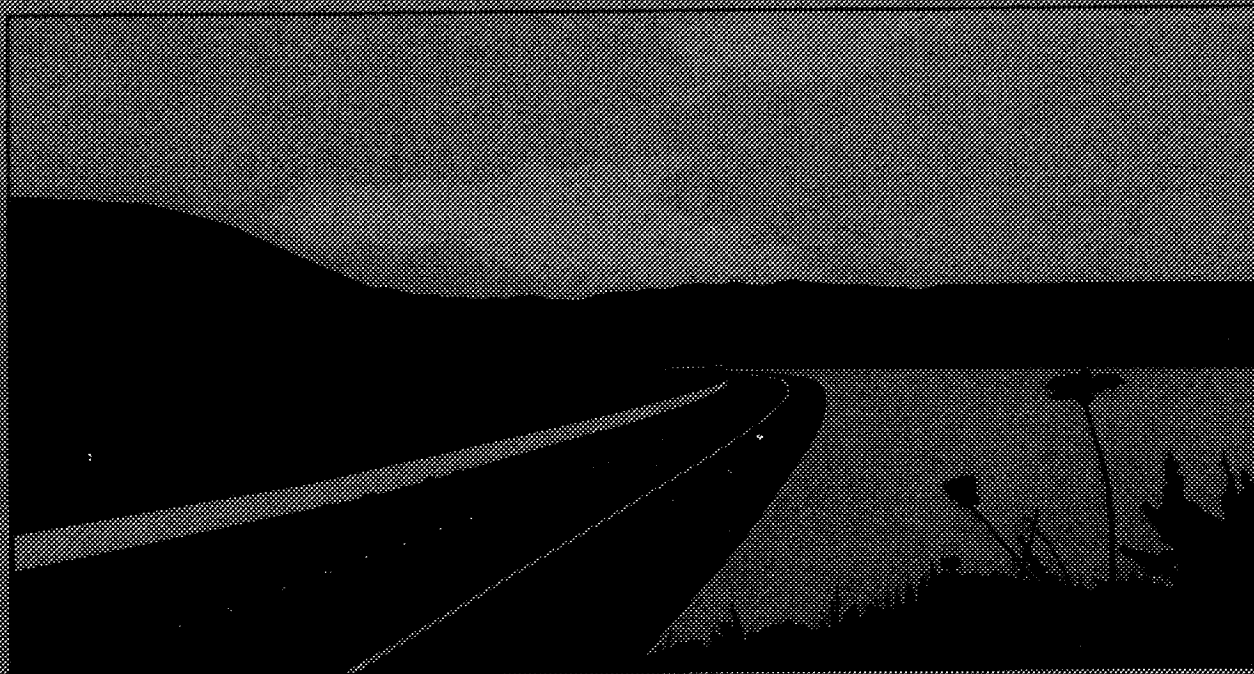


South Orange County Transportation Infrastructure Improvement Project (SOCTIIP)

Foothill-South

TCA EIR 4

FHWA-CA-EIS-04-01-D



Volume VIII Final Subsequent Environmental Impact Report Response to Comments

December 2005

Appendix A

Draft EIS/SEIR Distribution List

**APPENDIX A
DISTRIBUTION LIST FOR THE DRAFT EIS/SEIR**

A.1 FEDERAL AGENCIES

Maiser Khaled
Federal Highway Administration
California Division
50 Capital Mall, Suite 4-100
Sacramento, CA 95814

Rebecca Lent, Ph.D.
U.S. Department of Commerce
National Oceanic & Atmospheric
Administration
National Marine Fisheries Service – Southwest
Region
501 West Ocean Blvd., Ste 4200
Long Beach, CA 90802-4213

Karen Goebel
Assistant Field Supervisor
U.S. Department of the Interior
Fish and Wildlife Service
Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, CA 92008-4219

Robert Fisher
U.S. Department of the Interior
U.S. Geological Survey
Biological Resources Division
Western Ecological Research Center
San Diego Field Station
5745 Kearny Villa Road, Suite M
San Diego, CA 92123

Sandro Amaglio
Regional Environmental Officer
Federal Emergency Management Agency
Region IX
P.O. Box 29998
Presidio of San Francisco
San Francisco, CA 94129

Susan DeSaddi
U.S. Army Corps of Engineers
Regulatory Branch, CESPL-CO-R
915 Wilshire Blvd. #11000
Los Angeles, CA 90017-3401

Nova Blazej
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Jim Omans (LFL)
Headquarters U.S. Marine Corps
Room 3109
2 Navy Annex
Washington, DC 20380-1775

Larry Rannals
Attn: CPLO, Bldg. 1160
Marine Corps Base
Camp Pendleton, CA 92055-5010

Steven John
Federal Office of Wetlands Enforcement
U.S. Environmental Protection Agency, Region
9
915 Wilshire Blvd.
Los Angeles, CA 90053-2325

A.2 STATE AGENCIES

Cindy Quon
District Director
Caltrans – District 12
3337 Michelson Drive, Suite 380
Irvine, CA 92612-8894

Pedro Orso-Delgado
District Director
Caltrans – District 11
2829 Juan Street
San Diego, CA 92186-5406

Mark Delaplaine, Federal Consistency
Supervisor
State of California – The Resources Agency
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Terri Dickerson
State of California – The Resources Agency
Department of Fish and Game
330 Golden Shore, Ste. 50
Long Beach, CA 90802

William E. Tippets
Environmental Program Manager
State of California – The Resources Agency
Department of Fish and Game
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123

Richard Rayburn, Chief
California Parks & Recreation
1416 9th Street, Rm. 932
Sacramento, CA 95814

State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Dr. Knox Mellon
State Historic Preservation Officer
Office of Historic Preservation
1416 Ninth Street
Room 1442
Sacramento, CA 95814

Kenneth E. Trott
Environmental Coordinator
Department of Conservation
State of California
801 K Street
Sacramento, CA 95814

Rob Wood
Associate Governmental Program Analyst
State of California
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

David R. Pryor
California Department Parks & Recreation
18331 Enterprise Lane
Huntington Beach, CA 92648

A.3 REGIONAL AGENCIES AND SPECIAL DISTRICTS

Paul Lemons
California Regional Water Quality Control
Board
San Diego Region
9771 Clairemont Mesa Blvd., Ste A
San Diego, CA 92124-1324

Eric C. Pahlke
Director of Transportation
San Diego Association of Governments
401 B Street, Ste 800
San Diego, CA 92101-4231

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
South Coast Air Quality Management District
21865 E. Copley Drive
Diamond Bar, CA 91765-4182

Jeffrey M. Smith, AICP
Senior Planner – Intergovernmental Review
S. Cal Association of Governments
818 W. 7th St., 12th Floor
Los Angeles, CA 90017-3435

David Doomey
Associate Superintendent
Facilities Planning
Capistrano Unified School District
32972 Calle Perfecto
San Juan Capistrano, CA 92675-4792

Jim Gosnell
Southern California Association of Governments
818 W. 7th St., 12th Floor
Los Angeles, CA 90017-3435

Sook Young Kim
San Diego Association of Governments
401 B St. Suite #800
San Diego, CA 92101

Randy Huttenberger
Director Facilities and Planning
Saddleback Valley Unified School District
25631 Peter Hartman Way
Mission Viejo, CA 92691

Dave Elbaum
Orange County Transportation Authority
550 South Main Street
Orange, CA 92613-1584

Nancy Foreman
Orange County Fire Authority
P.O. Box 86
Orange, CA 92856

A.4 LOCAL AGENCIES AND CITIES

George Britton
Manager-Environmental & Project Planning
Services Division
County of Orange
Planning & Development Services Department
300 N. Flower Street
Santa Ana, CA 92702-4048

Ignacio Ochoa
County Traffic Engineer
County of Orange
Public Facilities & Resources Department
300 N. Flower Street
Santa Ana, CA 92702-4048

Michelle Jordan
County of Orange
Planning & Development Services Department
300 N. Flower Street
Santa Ana, CA 92702-4048

Jeff Dickman, Chief
HBP/Trail Planning and Implementation
County of Orange
Public Facilities & Resources Department
300 N. Flower Street
Santa Ana, CA 92702-4048

City Manager
City of Rancho Santa Margarita

30211 Avenida de las Banderas, Ste 101
Rancho Santa Margarita, CA 92688

City Manager
City of Irvine
One Civic Center Plaza
P.O. Box 19575
Irvine, CA 92623-9575

City Manager
City of San Clemente
100 Presidio Avenue
San Clemente, CA 92672

City Manager
City of La Habra
201 E. La Habra Blvd.
La Habra, CA 90633-0337

City Manager
City of Lake Forest
23161 Lake Center Drive, Ste 100
Lake Forest, CA 92630

City Manager
City of Mission Viejo
200 Civic Center
Mission Viejo, CA 92691

City Manager
City of Laguna Niguel
27801 La Paz Road
Laguna Niguel, CA 92677

City Manager
City of Laguna Woods
24264 El Toro Road
Laguna Woods, CA 92653

City Manager
City of Laguna Hills
25201 Paseo De Alicia, Suite 150
Laguna Hills, CA 92653

City Manager
City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651

City Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

City Manager
City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

City Manager
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

City Manager
City of Orange
300 East Chapman Avenue
Orange, CA 92663

City Manager
City of Anaheim
3200 South Anaheim Boulevard
Anaheim, CA 92805

City Manager
City of Yorba Linda
4845 Casa Loma Avenue
Yorba Linda, CA 92885

City Manager
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

City Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

A.5 GROUPS, ORGANIZATIONS AND HOMEOWNERS' ASSOCIATIONS

Bill Corcoran
Conservation Coordinator
Sierra Club, Angeles Chapter
3435 Wilshire Blvd., Ste 320
Los Angeles, CA 90010-1904

Karen Caiozzo, Secretary
Aegean Hills Homeowners Association, Inc.
P.O. Box 2732
Mission Viejo, CA 92690-2732

Marvin J. Rosen, President
Meredith Canyon Community Association
27052 Calle Esperanza
San Juan Capistrano, CA 92675

Sandy Meyer
General Manager
Lake Forest Community Association
22921 Ridge Route Drive
Lake Forest, CA 92630

National Audubon Society
Attention: Pete Desimone
P.O. Box 967
Trabuco Canyon, CA 92678

Surfrider Foundation
Attention: Christopher Evans
122 S. El Camino Real #67
San Clemente, CA 92672

Friends of the Foothills
Attention: Brittany McKee
P.O. Box 3942
San Clemente, CA 92674

Stephen Stanton
Association Manager
Pacifica San Clemente Homeowners Association
30320 Ranch Viejo Rd.,
San Juan Capistrano, CA 92675

Andrew E. Wetzler
Senior Project Attorney
Natural Resources Defense Council
6310 San Vicente Blvd., Ste 250
Los Angeles, CA 90048

David Hogan
Center for Biological Diversity
P.O. Box 628
Santa Ysabel, CA 82070

James W. Royle, Chairperson
Environmental Review Committee
San Diego County Archaeological Society
P.O. Box 81106
San Diego, CA 92138-1106

Pam Bashline
Community Manager
Talega Gallery Community Association
22 Calle Galleria
San Clemente, CA 92673

Dan Silver, Coordinator
Endangered Habitats League
8424-A Santa Monica Blvd.
Suite 592
Los Angeles, CA 90069-4267

Joe Martinez
Talega Maintenance Corporation
Talega Swim and Athletic Club
100 Calle Altea
San Clemente, CA 92673

A.6 BUSINESSES, BUSINESS GROUPS AND MAJOR LAND OWNERS

San Clemente Downtown Business Association
P.O. Box 114
San Clemente, CA 92672

City of San Clemente
Chamber of Commerce
1100 N. El Camino Real
San Clemente, CA 92672

Orange County Business Council
Attn: Julie Puentes
2 Park Plaza, Ste. 100
Irvine, CA 92614

Ms. Laura Coley Eisenberg, Director
Planning and Entitlement
Rancho Mission Viejo
PO Box 9
San Juan Capistrano, CA 92693

John F. Boslet
Vice President Transportation
The Irvine Company
550 Newport Center Drive
P.O. Box 6370
Newport Beach, CA 92658-6370

Talega
951 Calle Negocio D
San Clemente, CA 92673

Forester Ranch
915 Calle Amanecer, C
San Clemente, CA 92673

A.7 LIBRARIES

Mission Viejo Library
100 Civic Center
Mission Viejo, CA 92691

Canyon Hills Library
400 Scout Trail
Anaheim Hills, CA 92807

Laguna Niguel Library
30341 Crown Valley Parkway
Laguna Niguel, CA 92677

Santa Ana Library
26 Civic Center Plaza
Santa Ana, CA 92701
Garden Grove Regional Library
11200 Stanford Avenue
Garden Grove, CA 92840

San Juan Capistrano Regional Library
31495 El Camino Real
San Juan Capistrano, CA 92675

Oceanside Library
330 North Coast Highway
Oceanside, CA 92054

El Toro Library
24672 Raymond Way
Lake Forest, CA 92630

Laguna Woods Library
24264 El Toro Road
Laguna Woods, CA 92653

Dana Point Library
33841 Niguel Road
Dana Point, CA 92629

Irvine Heritage Library
14361 Yale Avenue
Irvine, CA 92604

Anaheim Central Library
500 West Broadway
Anaheim, CA 92805

Foothill Ranch Library
27002 Cabriole Way
Foothill Ranch, CA 92610

Ladera Ranch Library
29551 Sienna Parkway
Ladera Ranch, CA 92694

Rancho Santa Margarita Library
30902 La Promesa
Rancho Santa Margarita, CA 92688

Laguna Beach Library
363 Glenneyre Street
Laguna Beach, CA 92651

San Clemente Library
242 Avenida Del Mar
San Clemente, CA 92672

Orange Library
101 N. Center Street
Orange, CA 92866

Yorba Linda Library
18181 Imperial Highway
Yorba Linda, CA 92886

Tustin Library
345 E. Main Street
Tustin, CA 92780

Jack Langson Library
University of California, Irvine
P.O. Box 19557, Bldg. 102
Irvine, CA 92623-9557



FEDERAL HIGHWAY
ADMINISTRATION



Transportation Corridor Agencies

**NOTICE OF AVAILABILITY OF THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT/
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIS/SEIR) FOR THE
SOUTH ORANGE COUNTY TRANSPORTATION INFRASTRUCTURE
IMPROVEMENT PROJECT (SOCTIIP) AND PUBLIC HEARING**

What's Being Planned?

The Foothill/Eastern Transportation Corridor Agencies (TCA), in cooperation with the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans), have prepared a Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR) for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) (also referred to as the Foothill Transportation Corridor – South (FTC-S)), which involves locating, constructing and operating transportation improvements in southern Orange County as shown on the Figure 1. Alternatives analyzed in the Draft EIS/SEIR for the proposed project are depicted on the map included with this Notice. The U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Army Corps of Engineers and Marine Corps Base Camp Pendleton (as a cooperating agency) have also participated in development of the SOCTIIP EIS/SEIR, as part of an interagency coordination and integration group. The SOCTIIP alternatives includes; six alternatives to extend the existing Foothill Transportation Corridor (State Route (SR) 241 from Oso Parkway to I-5 near the Orange County/San Diego County boundary, or to an intermediate point at an intersecting arterial road; one alternative to improve existing and master planned arterial highways; and an alternative to widen I-5 from the County boundary north to the interchange with I-405. No preferred alternative has been identified in the Draft EIS/SEIR.

The corridor or toll road alternatives would extend existing SR 241 south to the I-5 or an intermediate point, with four to eight lanes, on alignments from nine to 16 miles long. Each of the corridor alternatives has two phases, an Initial phase and an Ultimate phase. The Initial phase of each Alternative would provide four lanes on the extension of SR 241; the Ultimate phase of each Alternative would provide six to eight lanes on the extension of SR 241. The Initial phase would be constructed first, the Ultimate phase, with more travel lanes, is not anticipated to be needed, based on forecasted traffic demand, until after the year 2025. Construction would take from 30 to 42 months, depending on the alternative. The TCA anticipates seeking permits and will build only the Initial phase of a corridor. After the year 2025, implementation of the Ultimate phase would depend on the traffic need at that time.

The Arterial Improvements Only (AIO) Alternative would improve Antonio Parkway/Avenida La Pata from Oso Parkway to Avenida Pico, to beyond its Master Plan of Arterial Highways (MPAH) designation, providing one or two additional lanes in each direction. This Alternative would take approximately 30 months to construct. No agency has been identified for implementation of the AIO Alternative.

The I-5 Widening Alternative would provide additional general purpose, auxiliary and high occupancy vehicle (HOV) lanes on the I-5 from approximately I-405 south to the County boundary in south San Clemente. This Alternative would take approximately 42 months to construct. No agency has been identified for the implementation of the I-5 Alternative.

In addition to the build alternatives, two No Action Alternatives, which assume different background land use levels, were also analyzed and are documented in the Draft EIS/SEIR.

Why This Advertisement?

The FHWA, Caltrans and the TCA have studied the effects of the proposed SOCTIIP build and No Action Alternatives on the environment. Studies show that some or all of the SOCTIIP build and/or No Action Alternatives could impact the quality of the environment. Environmental impacts as defined by the National Environmental Policy Act and the California Environmental Quality Act have been extensively studied for the following resources under the SOCTIIP build and/or No Action Alternatives: Waters of the United States, including wetlands; wildlife, fisheries and vegetation; threatened and endangered plant and wildlife species; water quality; Coastal Zone; socioeconomics; traffic and circulation; short and long term air quality; noise; military uses; visual resources; land use; recreation and Section 4(f) resources; floodplains and sedimentation; hazardous materials and waste sites; energy; earth resources; mineral resources; public services and utilities; paleontological, archeological and historic resources; farmland; pedestrian and bicycle facilities; growth inducing; and cumulative impacts. Proposed mitigation measures/commitments and project design features included in the SOCTIIP Alternatives and documented in the Draft EIS/SEIR would avoid, minimize or compensate many of these impacts. This notice is to inform the public of the preparation and availability of the Draft EIS/SEIR. This notice also provides notification that a public hearing will be held, pursuant to 23 U.S.C. § 128 to present details of the proposed project and the potential environmental impacts, and to provide all interested parties the opportunity to make verbal or written comments on the proposed project and the environmental analysis.

What's Available?

The Draft EIS/SEIR is available for viewing at the following locations:

Transportation Corridor Agencies Main Lobby
125 Pacifica
Irvine, California 92618

Phone: (949) 754-3444
Hours: 8:00 to 4:00, Monday through Friday

San Clemente Information Center
209 Avenida del Mar, Suite 102
San Clemente, California 92672
Phone: (949) 366-4941
Hours: 9:30 AM to 5:00 PM, Tuesday through Friday and 10 AM to 4 PM, Saturday.

Caltrans District 12
3331 Michelson Drive, Suite 300
Irvine, CA 92612
Hours: 9AM to 3 PM, Monday through Friday.

The Draft EIS/SEIR can be viewed on the Internet at the following website:

www.thetollroads.com

In addition, copies of the Draft EIS/SEIR are available for review at the libraries shown on the last page of this notice. A copy of the Draft EIS/SEIR on Compact Disc (CD) may be obtained by contacting the Transportation Corridor Agencies SOCTIIP Information Desk at (949) 754-3444.

Where You Come In

Your comments on the project and the Draft EIS/SEIR are welcome. Have the potential environmental impacts of the SOCTIIP alternatives been addressed in the Draft EIS/SEIR? Do you have additional information that should be included in the Draft EIS/SEIR? Your comments on the Draft EIS/SEIR will be part of the public record. If you wish to comment on the Draft EIS/SEIR, you may submit comments through the TCA website @ www.thetollroads.com or you may submit written comments to:

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

Comments on the Draft EIS/SEIR will be accepted through the review period, starting on May 7, 2004 until 5:00 PM on July 7, 2004. Under California law, persons challenging the project in state court may be limited to raising only those issues raised by such persons or raised by others at the hearing described herein, or in written correspondence delivered to the TCA at, or prior to, July 7, 2004.

When and Where

The public hearing has been scheduled for public information purposes and for interested parties to provide verbal and/or written comments on the project and the Draft EIS/SEIR. Representatives of federal agencies will be in attendance. At this meeting, exhibits describing the project and the environmental process, and copies of the Draft EIS/SEIR will be available for review. Verbal comments provided by attendees, will be recorded by a court reporter.

Date: Saturday, June 19, 2004

Time: 10:00 a.m. to 6:00 p.m.

Location: Tesoro High School
1 Tesoro Creek Road
Rancho Santa Margarita

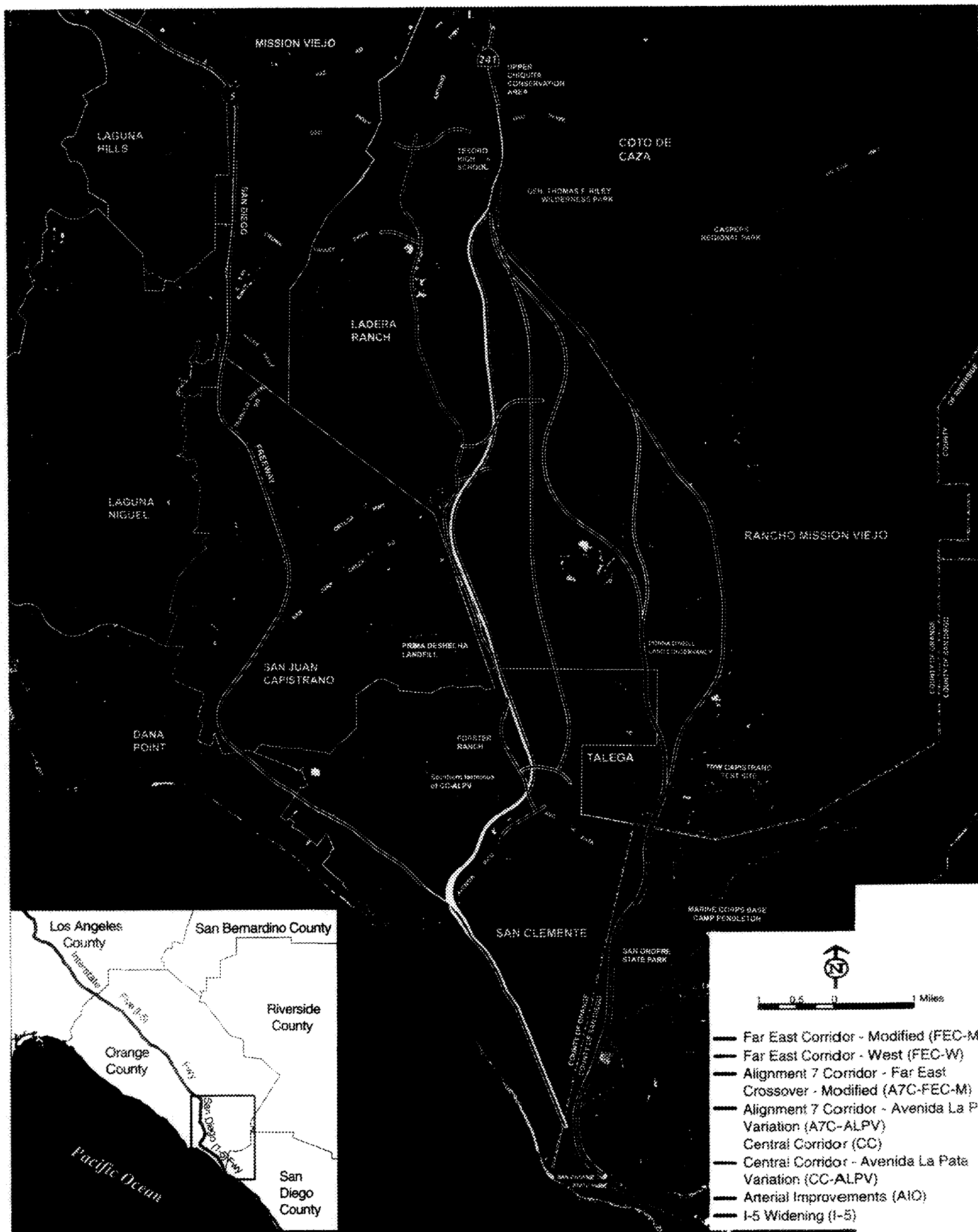
For persons using public transportation, a shuttle service will be provided from Saddleback College to Tesoro High School. OCTA provides bus service to Saddleback College in Mission Viejo via OCTA Route(s) 85, 91, 191/191A. The shuttle service will operate between the hours of 10:00 a.m. and 6:00 p.m. and will pick-up/drop-off passengers, every hour, near the intersection of Marguerite and College in Mission Viejo (at bus stop for Route(s) 85, 91, 191/191A). For OCTA route schedule and information visit www.octa.net.

Contact

For more information about this Draft EIS/SEIR, you may contact:

SOCTIIP Information Desk
Environmental Planning
Transportation Corridor Agencies
Phone: (949) 754-3444

Mr. Maiser Khaled
Director, Project Development and Environment
Federal Highway Administration-California Division
Phone: (916) 498-5020



South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Alternatives

Figure 1

**LOCATIONS WHERE THE SOCTIIP DRAFT EIS/SEIR WILL BE AVAILABLE
FOR PUBLIC REVIEW**

| | | |
|--|---|---|
| Aliso Viejo Library 1 Journey Aliso Viejo, CA 92656 949-360-1730 Mon-Thurs 9:00 - -9:00 Fri 9:00 -6:00, Sat: 12:00 - 5:00 | Ladera Ranch Library 29551 Sienna Parkway Ladera Ranch, CA 92694 949-234-5940 Mon-Thurs 10:00-8:00 Sat 10:00-5:00 | Orange County Public Library Headquarters 1501 E. St. Andrew Place Santa Ana, CA 92705 714-566-3000 Mon-Friday 8-5 |
| Anaheim Central Library 500 West Broadway Anaheim, CA 92805 714-765-1880 Mon-Fri 9:00-9:00, Sat 9:00-6:00 | Laguna Beach Library 363 Glenneyre Street Laguna Beach, CA 92651 949-497-1733 Mon-Wed 10:00-8:00 Thurs 10:00-6:00, Fri & Sat 10:00-5:00 | Rancho Santa Margarita Library 30902 La Promesa Rancho Santa Margarita, CA 92688 949-459-6094 Mon-Thurs 10:00-9:00 Fri & Sat 10:00-5:00 |
| Canyon Hills Library 400 Scout Trail Anaheim Hills, CA 92807 714-974-7630 Mon-Thurs 10:00 -9:00 Fri 10:00-6:00, Sat 10:00-5:00 | Laguna Hills Technology Library 25555 Alicia Parkway Laguna Hills, CA 92653 949-707-2699 Mon-Thurs 9-10:00 - -9:00 Fri & Sat: 10:00 - 5:00 | San Clemente Library 242 Avenida Del Mar San Clemente, CA 92672 949-492-3493 Mon-Thurs 10:00 -9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 |
| Costa Mesa Library 1855 Park Avenue Costa Mesa, CA 92627 949-646-8845 Mon-Thurs: 10:00 - 9:00 Fri & Sat: 10:00-5:00, Sun: 12:00 - 5:00 | Laguna Niguel Library 30341 Crown Valley Parkway Laguna Niguel, CA 92677 949-249-5252 Mon-Thurs 10:00-9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 | San Juan Capistrano Regional Library 31495 El Camino Real San Juan Capistrano, CA 92675 949-493-1752 Mon-Thurs 10:00-8:00 Sat 10:00-5:00, Sun 12:00-5:00 |
| Dana Point Library 33841 Niguel Road Dana Point, CA 92629 949-496-5517 Mon-Wed 10:00-9:00 Thurs 10:00-6:00 Fri & Sat 10:00-5:00 | Laguna Woods Library 24264 El Toro Road Laguna Woods, CA 92653 949-639-0500 Mon-Fri 8:00-5:00 | Santa Ana Library 26 Civic Center Plaza Santa Ana, CA 92701 714-647-5250 Mon-Thurs 10:00-8:00 Sat 10:00-6:00 |
| El Toro Library 24672 Raymond Way Lake Forest, CA 92630 949-855-8173 Mon-Thurs 10:00-9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 | Mission Viejo Library 100 Civic Center Mission Viejo, CA 92691 949-830-7100 Mon-Thurs 10:00-9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 | Tustin Library 345 E. Main Street Tustin, CA 92780 714-544-7725 Mon-Thurs 10:00 -9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 |
| Foothill Ranch Library 27002 Cabriole Way Foothill Ranch, CA 92610 949-855-8072 Mon-Thurs 10:00-8:00 Sat 10:00-5:00 | Newport Beach Central Library 1000 Avocado Avenue Newport Beach, CA 92660 949-717-3800 Mon-Thurs 9:00-9:00 Fri & Sat 9:00-6:00, Sun 12:00-5:00 | UCI Langson Library, Bldg. 102 University of California, Irvine Irvine, CA 92697 (949) 824-6836 Mon-Thurs 7:30-11:00 Fri 7:30-9:00 Sat 10:00-9:00, Sun 10:00-11:00 |
| Garden Grove Regional Library 11200 Stanford Avenue Garden Grove, CA 92840 714-530-0711 Mon-Thurs 10:00-9:00 Fri & Sat 10:00-5:00 | Oceanside Library 330 North Coast Highway Oceanside, CA 92054 760-435-5600 Mon-Wed 10:00-8:00 Thurs-Sat 10:00-5:30 | Yorba Linda Library 18181 Imperial Highway Yorba Linda, CA 92886 714-777-2873 Mon-Thurs 9:00-9:00 Fri & Sat 9:00-5:00 |
| Irvine Heritage Library 14361 Yale Avenue Irvine, CA 92604 949-936-4040 Mon-Thurs 10:00 -9:00 Fri & Sat 10:00-5:00, Sun 12:00-5:00 | Orange Library 101 N. Center Street Orange, CA 92866 714-288-2400 Mon-Wed 10:00-9:00 Thurs-Sat 10:00-6:00 | |

Form A

Notice of Completion & Environmental Document Transmittal

SCH # 2001061046

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044
(916) 445-0613 state.clearinghouse@opr.ca.gov

Project Title: South Orange County Transportation Improvement Project

Lead Agency: Foothill/Eastern Transportation Corridor Agency

Contact Person: Macie Cleary-Milan

Mailing Address: P.O. Box 53770

Phone: (949) 754-3400

City: Irvine

Zip: 92619-3770

County: Orange

Project Location:

County: Orange

City/Nearest Community: South Orange County to Northern San Diego County

Cross Streets: N/a

Zip Code: N/a

Total Acres: N/a

Assessor's Parcel No. N/a

Section: N/a

Twp. N/a

Range: N/a

Base: N/a

Within 2 Miles: State Hwy #: 5, 74

Waterways: N/a

Airports: N/a

Railways: Burlington No. Santa Fe

Schools: Various

Document Type:

CEQA: ☐ NOP☒ Supplement/Subsequent EIRNEPA: ☐ NOIOther: ☒ Joint Document☐ Early Cons

(Prior SCH No. 89010252)

☐ EA☐ Final Document☐ Neg Dec☐ Other☒ Draft EIS☐ Other☐ Draft EIR☐ FONSI

Local Action Type:

☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.) ☒ Other Transportation

Development Type:

☐ Residential: Units _____ Acres _____☒ Transportation: Type Toll road; highway expansion☐ Office: Sq.ft. _____ Acres _____ Employees _____☐ Mining: Mineral _____☐ Commercial: Sq.ft. _____ Acres _____ Employees _____☐ Power: Type _____ Watts _____☐ Industrial: Sq.ft. _____ Acres _____ Employees _____☐ Waste Treatment: Type _____☐ Educational _____☐ Hazardous Waste: Type _____☐ Recreational _____☐ Other: _____☐ Water Facilities: Type _____ MGD _____

Funding (approx.):

Federal \$ _____

State \$ _____

Total \$ Locally Funded _____

Project Issues Discussed in Document:

☒ Aesthetic/Visual☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Agricultural Land☐ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Air Quality☒ Geologic/Seismic☐ Sewer☒ Wetland/Riparian☒ Archeological/Historical☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Wildlife☐ Coastal Zone☒ Noise☐ Solid Waste☒ Growth Inducing☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Land Use☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Cumulative Effects☒ Fiscal☒ Recreation/Parks☒ Vegetation Capacity☐ Other _____

Present Land Use/Zoning/General Plan Designation:

Various

Project Description:

Locate, construct, and operate transportation improvements in southern Orange County and northern San Diego County. The Alternatives include corridor alternatives to extend existing State Route 241 from Oso Parkway (KP 23.15 (MP 14.38)) to Interstate 5 in south Orange County and northern San Diego County, and Alternatives to improve existing and master planned arterial highways and to widen I-5 from the County boundary KP 34.27 (MP 21.30) to the interchange with I-405 (KP 116.29 (MP 72.28)).

Reviewing Agencies Checklist

Form A, continued

KEY

S = Document sent by lead agency

X = Document sent by SCH

✓ = Suggested distribution

- ☒ Resources Agency
- ☐ Boating & Waterways
- ☐ Coastal Conservancy
- ☐ Colorado River Board
- ☐ Conservation
- ☒ Fish & Game
- ☐ Forestry & Fire Protection
- ☒ Office of Historic Preservation
- ☒ Parks & Recreation
- ☐ Reclamation Board
- ☐ S.F. Bay Conservation & Development Commission
- ☒ Water Resources (DWR)
- ☐ Business, Transportation & Housing
- ☐ Aeronautics
- ☒ California Highway Patrol
- ☒ CALTRANS District # 12
- ☒ Department of Transportation Planning (headquarters)
- ☒ Housing & Community Development
- ☐ Food & Agriculture
- ☐ Health & Welfare
- ☐ Health Services
- ☐ State & Consumer Services
- ☐ General Services

Environmental Protection Agency

- ☒ Air Resources Board
- ☐ California Waste Management Board
- ☐ SWRCB: Clean Water Grants
- ☐ SWRCB: Delta Unit
- ☒ SWRCB: Water Quality
- ☐ SWRCB: Water Rights
- ☒ Regional WQCB # 8 & 9 (Santa Ana & San Diego)

Youth & Adult Corrections

- ☐ Corrections

Independent Commissions & Offices

- ☐ Energy Commission
- ☒ Native American Heritage Commission
- ☐ Public Utilities Commission
- ☐ Santa Monica Mountains Conservancy
- ☐ State Lands Commission
- ☐ Tahoe Regional Planning Agency

Other _____

Public Review Period (to be filled in by lead agency)

Starting Date May 7, 2004

Ending Date July 7, 2004

Signature _____

Date May 5, 2004

Lead Agency (Complete if applicable):

Consulting Firm: P&D Consultants
 Address: 999 Town & Country Rd. 4th Fl.
 City/State/Zip: Orange, CA 92868
 Contact: Christine Huard-Spencer
 Phone: (714) 835-4447

Applicant: Transportation Corridor Agency

Address: 125 Pacifica, Suite 100
 City/State/Zip: Irvine, CA 92618
 Phone: (949) 754-3482

For SCH Use Only:

Date Received at SCH _____

Date Review Starts _____

Date to Agencies _____

Date to SCH _____

Clearance Date _____

Notes:

San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

May 24, 2004

To: Interested Parties

Subject: Extension of Public Review Period for South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR)

The Foothill/Eastern Transportation Corridor Agency (TCA) in cooperation with the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) has extended the public review period for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Report (EIS/SEIR).

The public review period has been extended an additional 30 days for a total review period of 90 days. The TCA will accept comments on the Draft EIS/SEIR until Friday August 6, 2004.

If you have any questions, please contact Maria Levario of my staff at (949) 754-3482.

Sincerely,

Macie Cleary-Milan
Deputy Director, Environmental and Planning

Walter D. Kreutzen, Chief Executive Officer

125 PACIFICA, SUITE 100, IRVINE CA 92618-3304 • P.O. BOX 53770, IRVINE CA 92619-3770 • 949/754-3400 FAX 949/754-3467
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San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

May 7, 2004

Orange County Public Library:

The Transportation Corridor Agencies (TCA) is sending you this letter notifying you that the Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR) document for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) is being distributed to your library for use as a public information document in the government references section of the library. The Draft EIS/SEIR is being distributed to local libraries in the SOCTIIP Study Area within the Orange County Public Library System. These documents provide information regarding the analysis and study of roadway alignments to improve transportation within southern Orange County.

We believe these documents will generate much attention; therefore, we request that you make the document available for public review during the 60-day review period. The public review period for the environmental document begins on May 7, 2004 and ends on July 7, 2004.

TCA staff has coordinated the distribution of this document with Renee Welling of the Orange County Public Library Headquarters Office (Santa Ana). If you have any questions on the enclosed information please contact Renee Welling at (714) 566-3000.

Sincerely,

Macie Cleary-Milan

Macie Cleary-Milan
Deputy Director, Environmental and Planning

Cc: Renee Welling
Orange County Public Library Headquarters Office

Enclosure: SOCTIIP Screencheck EIS/SEIR and Appendices

Walter D. Kreutzen, Chief Executive Officer

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San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

May 11, 2004

Dear Interested Party:

Please find the enclosed compact disk (CD) which contains the missing Section 5.0 Cumulative Impacts tables for the Southern Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR).

We apologize for any inconvenience. If you have any questions, please contact Maria Levario at (949) 754-3482.

Sincerely,

Macie Cleary-Milan
Deputy Director, Environmental and Planning

Enclosure: SOCTIIP Draft EIS/SEIR Section 5.0 Tables (compact disk)

Walter D. Kreutzen, Chief Executive Officer

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San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

May 7, 2004

Dear Interested Party:

You will shortly be receiving a compact disk (CD) set of the Southern Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report and Appendices (EIS/SEIR). In Section 5.0 Cumulative Impacts of the Draft EIS/SEIR Tables 5.3-1 through 5.3-15 and Table 5.4-1 are inadvertently missing from CD number 1. A revised CD with this information will be provided to you early next week. However, this information will be posted on the website by Monday, May 10, 2004.

We apologize for any inconvenience. If you have any questions, please contact Maria Levorio of my staff at (949) 754-3482.

Sincerely,

Macie Cleary Milan

Macie Cleary-Milan
Deputy Director, Environmental and Planning

Walter D. Kreutzen, Chief Executive Officer

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San Joaquin Hills
Corridor Agency

Chairwoman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

Date: May 7, 2004

To: Interested Parties

Subject: South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR)

The Foothill/Eastern Transportation Corridor Agency (TCA) in cooperation with the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) has prepared the Draft Environmental Impact Statement/Subsequent Environmental Report (EIS/SEIR) to analyze proposed transportation improvements in southern Orange County and northern San Diego County. The proposed transportation improvements, referred to as the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP), include the analysis of six toll road corridor extension alternatives, an arterial roadway improvement alternative, a widening of Interstate 5 alternative and two No Project alternatives. These alternatives are described in detail in the Draft EIS/SEIR that is being provided for your review and comment.

We welcome any input you may have regarding the SOCTIIP alternatives and the various environmental resource areas that may be affected. In accordance with Federal and state requirements, a 60-day public review period is being provided and your comments will need to be submitted to this office by July 7, 2004. For additional information, please call me at (949) 754-3483 or Maria Levario at (949) 754-3482.

Sincerely,

Macie Cleary-Milan
Deputy Director, Environmental and Planning

Walter D. Kreutzen, Chief Executive Officer

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Mission Viejo • Newport Beach • Orange • Rancho Santa Margarita • Santa Ana • San Clemente • San Juan Capistrano • Tustin • Yorba Linda

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA,

County of Orange

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **The Orange County Register**, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

San Clemente Sun Post Post June 17, 2004

"I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct":

Executed at Santa Ana, Orange County, California, on

Date June 23, 2004


Signature

The Orange County Register
625 N. Grand Ave.
Santa Ana, CA 92701
(714) 796-7000 ext. 3002

PROOF OF PUBLICATION

This space is for the County Clerk's Filing Stamp

Transportation Corridor Agency 6 column by 10.5"

Proof of Publication of

Paste Clipping of
Notice
SECURELY
In This Space

NOTICE OF PUBLIC HEARING FOR SOUTH ORANGE COUNTY INFRASTRUCTURE IMPROVEMENT PROJECT

What's Being Planned?

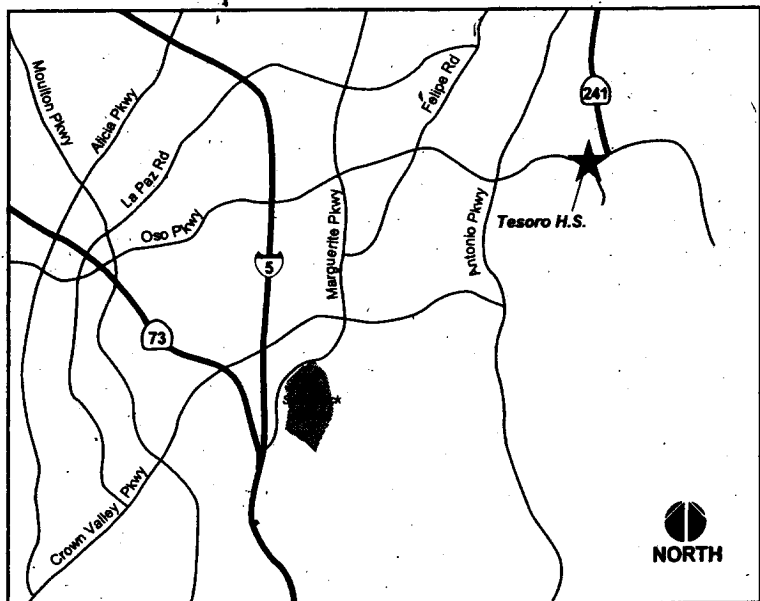
The Foothill/Eastern Transportation Corridor Agencies (TCA), in cooperation with the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans), invites you to a public hearing on the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) also referred to as the Foothill Transportation Corridor - South (FTC-S) and the Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR).

A public hearing has been scheduled for public information purposes and for interested parties to provide verbal and/or written comments on the project and the Draft EIS/SEIR pursuant to 23 U.S.C. § 128. Representatives of federal agencies will be in attendance. Verbal comments provided by attendees will be accepted throughout the day and will be recorded by a court reporter.

Date: Saturday, June 19, 2004

Time: 10:00 a.m. to 6:00 p.m. (doors open at 10:00 a.m.)

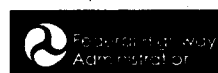
Location: Tesoro High School
1 Tesoro Creek Road
Las Flores



For persons using public transportation, a shuttle service will be provided from Saddleback College to Tesoro High School. OCTA provides bus service to Saddleback College bus stop in Mission Viejo via OCTA Route(s) 85, 91, 191/191A. The shuttle service will operate between the hours of 10:00 a.m. and 6:00 p.m. and will pick-up/drop-off passengers, every 1/2 hour, near the intersection of Marguerite and College in Mission Viejo (at bus stop for Route(s) 85, 91, 191/191A). For OCTA route schedule and information visit www.octa.net or call (714) 636-RIDE (7433).

Public Hearing Format

The public hearing will be held as an "open-forum" hearing and project representatives will be available to discuss the project throughout the meeting. The public hearing will be moderated and brief presentations will occur at approximately 10:30 a.m. and 2:00 p.m., followed by public testimony, which will be recorded by a court reporter. A second public testimony area with a court reporter will be available for public input. All public comments received will become part of the public record, and each comment will be considered in accordance with state and federal law. Informational displays and exhibits describing the project and the environmental process, and copies of the Draft EIS/SEIR will be available for review.

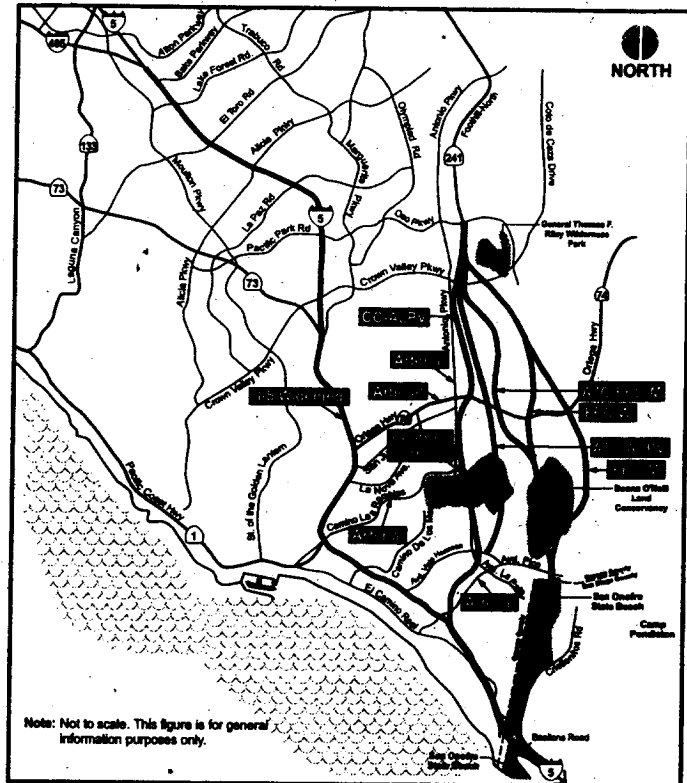


ORANGE COUNTY TRANSPORTATION PROJECT (SOCTIIP)

Alternatives Considered / Impacts

The environmental document analyzes the impacts of the six alternatives to extend the existing Foothill Transportation Corridor State Route (SR) 241 from Oso Parkway to I-5 near the Orange County/San Diego County boundary, or to an intermediate point at an intersecting arterial road; one alternative to improve existing and master planned arterial highways; and an alternative to widen I-5 from the County boundary north to the interchange with I-405. No preferred alternative has been identified.

The full range of environmental topics and impacts are analyzed in the Draft EIS/SEIR. Topics evaluated in the environmental document include: Land Use, Farmland, Socioeconomics and Environmental Justice, Pedestrian and Bicycle Facilities, Noise, Air Quality, Floodplains, Waterways, and Hydrologic Systems, Water Quality, Wetlands and Waters of the U.S., Wildlife, Fisheries, and Vegetation, Threatened and Endangered Species, Wild and Scenic Rivers, Coastal Barriers, Coastal Zone, Historic and Archeological Resources, Hazardous Materials and Hazardous Waste Sites, Visual Resources, Energy, Earth Resources, Military Uses and Camp Pendleton, Mineral Resources, Paleontological Resources, Public Services and Utilities, Recreation Resources, Cumulative Impacts and Growth Inducing Impacts. All build alternatives will have some impact on wetlands. Two build alternatives will impact historic properties.



Draft Map of EIS/SEIR Project Alternatives

EIS/SEIR Review Period and Contact

The comment period for the Draft EIS/SEIR ends on August 6, 2004. Comments (in writing or by e-mail) will be accepted after the hearing until August 6, 2004. If you wish to comment on the Draft EIS/SEIR, you may submit comments through the TCA website at www.thetollroads.com or you may submit written comments to:

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

The Draft EIS/SEIR is available for review at the TCA, Caltrans and several libraries. CD's are available for purchase. See the TCA web site @ www.thetollroads.com for details on where you can view the document before or after the public hearing. For more information about this public hearing you may contact:

SOCTIIP Information Desk
Environmental Planning
Transportation Corridor Agencies
Phone: (949) 754-3444

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO PRESS

PARTONE

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SOCTIIP PUBLIC HEARING

June 16, 2004
10:49 a.m. - 6:00 p.m.
Tesoro High School, Rancho Santa Margarita, California

PART ONE: TRANSCRIPT OF PRESENTATIONS AND PUBLIC COMMENTS

Reported by:
SUZANNE STRINGFELLOW, CSR No. 5652
CARMEN HUNTER, CSR No. 12048
JOB No. 23032A

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SOCTIIP PUBLIC HEARING

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13 PART ONE: TRANSCRIPT OF PRESENTATIONS AND PUBLIC COMMENTS

14

15 taken at 1 Tesoro Creek Road, Rancho Santa Margarita,
16 California, beginning at 10:49 a.m. and
17 ending at 6:00 p.m., on Saturday, June 19,
18 2004, before SUZANNE STRINGFELLOW, Certified
19 Shorthand Reporter No. 5652, and before
20 CARMEN HUNTER, Certified Shorthand Reporter
21 No. 12048.

22

23

24

25

1 APPEARANCES:

2

3 Local Representatives:

4 J. MICHAEL HARTY, J.D., Moderator
MACIE CLEARY-MILAN, TCA Deputy Director
5 PAUL BOPP, Project Manager
TAY DAM, FHWA
6 SMITA DESHPANDE, Caltrans,
LISA RAMSEY, Caltrans
7

8 Public Comment Session Speakers:

| | | | | |
|----|-----|--------------------|-----|---------------------|
| 9 | 1) | EDDIE ROSE | 34) | PETER BONGE |
| | 2) | ALAN REMINGTON | 35) | BRIAN KATZ |
| 10 | 3) | BOB BUNYAN | 36) | SHEILA KESSLER |
| | 4) | MARNI MAGDA | 37) | CHARLES LAWSON |
| 11 | 5) | LAURA CURRAN | 38) | MIKE GUANDY |
| | 6) | JEFF SMITH | 39) | MARGARET WHITELAW |
| 12 | 7) | LARRY PORTER | 40) | ALEXA WHITELAW |
| | 8) | LAURA COHEN | 41) | MACKENZIE WHITELAW |
| 13 | 9) | GEORGE KOBERN | 42) | SARA FELDMAN |
| | 10) | KIA MORTAZAVI | 43) | JANET BIERNEY |
| 14 | 11) | PAUL CARLTON | 44) | MICHAEL BRANTLEY |
| | 12) | CARA HOROWITZ | 45) | ROBERT FRASER |
| 15 | 13) | RICHARD WATSON | 46) | MARGARET MCCLEAN |
| | 14) | DEBBY KOKEN | 47) | CELIA KUTCHER |
| 16 | 15) | PETE van NUYS | 48) | LINDA HOMSCHEID |
| | 16) | DANNI MEYERSON | 49) | RUSSELL SEDA |
| 17 | 17) | GARY MEREDITH | 50) | VALERIE JOHNSON |
| | 18) | JULIA DEWEES | 51) | GREG SUMTER |
| 18 | 19) | LYNNETTE ADOLPHSON | 52) | ART NAVARRO |
| | 20) | JOHN VANETTEN | 53) | BOB SCHRAEDER |
| 19 | 21) | BRIAN WOODWARD | 54) | SUSAN WITHROW |
| | 22) | KURT STANLEY | 55) | MARY AILEEN MATHEIS |
| 20 | 23) | WAYNE EGGLESTON | 56) | GAIL HERSON |
| | 24) | RICHARD GARDNER | 57) | HON YOW |
| 21 | 25) | STEVE PEZMAN | 58) | GREG HEFTER |
| | 26) | CHRIS EVANS | 59) | ARLIS CHILDS |
| 22 | 27) | MARK MASSADA | 60) | KELSEY MCDUFFEE |
| | 28) | STEVE NETHERBY | 61) | JOHN STAFF |
| 23 | 29) | ANNE M. MORRIGAN | 62) | BOB MCDERMOTT |
| | 30) | MARILY ANDERSON | 63) | MIMI WALTERS |
| 24 | 31) | BARRY HALSTEAD | 64) | MARION NANCY KNIPE |
| | 32) | ELOISE R. BODIFORD | 65) | ANDREW MIKESELL |
| 25 | 33) | STEVE BURGESS | 66) | REED ROYALTY |

1 APPEARANCES (Continued):

2

3 Public Comment Session Speakers:

- 4 67) JERRY COLLAMER
68) GIL CHASIN
5 69) THURMAN BLIZZARD
70) DANIEL SPARKS
6 71) DENNIS SAYLOR
72) WALTER STRINGFELLOW
7 73) LISA KERR
74) RICHARD METCALF
8 75) EHSAN TAVASSOLI
76) GEORGE HALE
9 77) LINDA HALE

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1 Rancho Santa Margarita, California

2 Saturday, June 19, 2004

3 10:49 a.m. - 6:00 p.m.

4

5 J. MICHAEL HARTY: All right. I will move
6 through this as quickly as I can. Here's the way
7 today is planned. It's really planned primarily to
8 give you the opportunity both to get the
9 information that you need and also to provide an
10 opportunity for you to have a public discussion and
11 provide your input that will become part of the
12 public record and then part of the decision-making
13 process around this project.

14 I've been asked to tell you to make it very
15 clear that, while there is a draft document out, no
16 preferred alternative has been identified in the
17 draft document; that there has not been -- I will
18 say it again -- the preferred alternative among the
19 eight that are in the draft identified as the
20 preferred. That decision will only be made after
21 we review the entire public record and the input
22 and the comments that you provide today, and in
23 other ways during the public comment process you
24 will become part of that public record.

25 I've been asked to also explain a little bit

1 of the mechanics here. So here's how this is going
2 to work when we get to the public comment session.
3 Right up here you see some people who are lining up
4 because they would like to speak in this room.
5 Don't rush to line up yet, there is going to be
6 plenty of time to speak.

7 There are court reporters here who are going
8 to capture the public comments that you provide, if
9 you choose to speak today into a microphone in this
10 room. The people in the room will also hear you
11 speak, so you're not just going to be heard by the
12 court reporters.

13 We are asking that you limit your comments
14 to the most important information you have up to
15 five minutes, but some of your comrades have asked
16 that if it doesn't happen in five minutes, that
17 will leave more time for other people to speak and
18 less of a waiting time.

19 So this is the first place, if you would
20 like to speak in this room, that you can come, you
21 can sign up the notebook. The people who are
22 sitting in the chairs are waiting because we didn't
23 want everyone to have to stand in line, and we are
24 just going to give everyone who wants to an
25 opportunity to speak in this room.

1 There are two sessions today. This session
2 will run until about 1:30 or 2:00 so we can get
3 everyone who is here who wants to speak. We'll
4 have a short break, so that I can have a drink of
5 water or something, and then we will have a second
6 session that's going to be identical to this one,
7 although hopefully not identical speakers, this
8 afternoon and we will go at least until 6:00. We
9 will go as long as we need to to get your input.

10 The other opportunity you have to give oral
11 comments today is to another court reporter who is
12 not in this room because I know that sometimes
13 people don't feel comfortable standing up in front
14 of a large group and speaking. There's a court
15 reporter back that way around the corner and
16 there's a sign up that says "Court Reporter." Some
17 of you may already have given comments to her and,
18 again, those comments are being treated equally as
19 the comments that you may choose to make in this
20 room. So those are the two opportunities to give
21 oral comments today.

22 Other opportunities. You can fill out one
23 of these comment cards. I know that some of you
24 have filled out your own comment cards. There's a
25 box back there at the general information table,

1 and you can drop those in. where the gentleman has
2 the box up there and he's waiving, you can put your
3 comments in there. They may lead to the public
4 record exactly as any oral comments.

5 In addition, you can write letters and you
6 can spend as many hours as you like on your letter,
7 you're not limited to five minutes. And you can
8 also submit comments by e-mail. Those comments
9 need to be submitted to the TCA by August 6th.
10 That would be the end of the 90-day comment period
11 on the draft environmental document. So those are
12 all of the ways that I'm aware of that you can
13 provide your input to this process.

14 If you need to know about the bathrooms; the
15 bathrooms are back there around the corner. I
16 don't want to take too much time here because I
17 know people are waiting to speak. We have a
18 20-minute presentation with some slides and I need
19 to introduce some people, but I do want to make
20 sure you know how the meeting is generally going to
21 operate.

22 We have a Spanish language interpreter, if
23 anyone would prefer to provide comments in Spanish,
24 I can put you together with Terry Flores and a
25 court reporter and you can provide comments in that

1 language, if that is what you'd like to do.
2 Meeting, how are we going to do this thing.
3 There is no secret that there is a range of views
4 about this proposed project and I want to say that
5 I respect the time and energy that all of you have
6 committed to coming out here today, as well as the
7 other time and resources you've committed to
8 working on this matter, whatever your views. It's
9 going to take cooperation and assistance from all
10 of you here today to allow everybody in this room
11 to offer their views, whatever they are.

12 The way I approach this meeting is
13 everyone's views are equally entitled to be
14 presented and they are equally valuable, and that
15 means we have all got to cooperate and make this
16 session work so that everyone has the same
17 opportunity. So I'm going to be counting on you to
18 help me do that.

19 My basic role, as soon as we get into the
20 comment session, is to operate the process of
21 letting me speak. There is going to be a time
22 we're up here and I will explain it when we have
23 our first speaker, rather than going through all of
24 that now, but it's just a series of lights, we are
25 not going to cut off the microphone or anything,

1 it's just to let you know when you're getting close
2 to five minutes.

3 The other thing that I wanted to let you
4 know. If you just came into this room and didn't
5 have a chance to walk around, there are a number of
6 stations that are devoted to the various components
7 of the draft environmental analysis document.
8 There are people manning those stations and their
9 job today is to answer your questions.

10 we are not going to have a panel of people
11 sitting up in the front of this room answering
12 questions from you. What we have set up is these
13 stations where you can go informally and talk to
14 someone as long as you want, someone that knows the
15 subject and can explain to you what's in the
16 document and how the document was assembled. So
17 traffic, water quality, socioeconomics, and all of
18 the other components are different stations and
19 they are available to you today as well.

20 Okay. So what I want to do right now is
21 introduce some of the people who are here today
22 also serving as a resource. I'm going to start
23 with Macie Cleary-Milan. Macie is over there,
24 would you waive, please. Macie is the deputy
25 director of TCA and she is going to give you a

1 20-minute presentation after which we're going to
2 open this up to comments.

3 Paul Bopp is standing next to her and he is
4 the project manager.

5 Is that right, Paul, for this project?

6 Tay Dam is here from FHWA. Smita Deshpande
7 is here from Caltrans. And Lisa Ramsey is here
8 from Caltrans.

9 All of these are the primary agencies
10 involved in this project.

11 So without further comment from me, I'm
12 going to turn this over to Macie for about a
13 20-minute presentation.

14 MS. CLEARY-MILAN: Welcome. Again, my name
15 is Macie Cleary-Milan, executive director of
16 environmental planning, and I'm going to be giving
17 you a brief overview of the South Orange County
18 Transportation Infrastructure Improvement Project,
19 also known as Foothill-South, the project made by
20 Mel Brockman [audience interruption]. We've got
21 people who can't hear? Okay, I will speak louder.
22 If you can't hear me, then we'll stop and see if we
23 can get the speakers louder.

24 The 241 has been on the National Plan of
25 Arterial Highways, which is the county's plan for

1 transportation since 1991. The TCA was formed in
2 1986 and was responsible for permitting, dividing,
3 financing, building, operating Orange County's
4 67-mile toll way facility, of which 51 miles is
5 currently operating.

6 The Foothill-Eastern board and the San
7 Joaquin board are the governing bodies of the
8 agency and they are made up of city representatives
9 and the County of Orange. The corridor alternative
10 has been included in all of the regional
11 transportation and air quality plans.

12 The purpose and need was approved by the
13 federal resource agencies that we have been working
14 with, and the purpose and need was to relieve the
15 I-5 congestion and local arterial road congestion,
16 accommodate access and goods movement and reduce
17 congestion and delay on freeway systems as much as
18 feasible and cost effective.

19 This slide represents the traffic that we
20 are currently experiencing in 2001, which is the
21 year that the environmental document was done, and
22 the weekday numbers were 126,000 on the I-5 in the
23 San Clemente area, and the weekends about 161,000.
24 In 2025, those numbers will go up, 201,000 and
25 241,000.

1 This represents close to what you're seeing
2 out at the 91 at the Orange County/Riverside line.
3 The purpose of this environmental document that we
4 put out, the Draft Environmental Impact Statement,
5 is necessary for the federal environmental
6 regulations, and the draft subsequent environmental
7 impact report is for the California regulations.

8 The purpose is to scientifically evaluate
9 the potential environmental impact and to inform
10 and disclose those impacts to the public and the
11 decision-makers; and additionally, to identify ways
12 to mitigate and reduce impacts and identify
13 feasible mitigation.

14 This slide represents the 19 technical areas
15 that are in the environmental document. The
16 federal resource agencies that we have been working
17 with on this project include the Federal Highway
18 Administration, the EPA, U.S. Fish and Wildlife,
19 the Army Corps of Engineers, Caltrans and as well
20 Camp Pendleton has been participating.

21 The collaborative has been meeting regularly
22 since 1999 to determine the alternatives for
23 analysis to develop the technical scopes of work.
24 They also reviewed the technical work, then
25 reviewed a predraft environmental document.

1 Now, Paul Bopp will go over the
2 alternatives.

3 PAUL BOPP: Good morning. My name is Paul
4 Bopp. Within the environmental document there are
5 eight build alternatives, there are six corridor
6 alternatives that the TCA would be responsible for,
7 and two noncorridor alternatives in which others
8 would be responsible for the construction.

9 There are also evaluated in the document two
10 no-action alternatives. The two no-action
11 alternatives are in there and they assume different
12 land uses for each one of the particular specific
13 land -- no actions. And as Mike Harty mentioned
14 before, there is no preferred alternative listed in
15 the environmental document.

16 The first alternative that we are going to
17 talk about are the projects that TCA are not the
18 project proponents of. There is the I-5 widening,
19 which Caltrans would be project proponent for.
20 This consists of widening the I-5 from the El Toro
21 Y south, down to the county line. The widening
22 would be approximately 21 miles long and it would
23 consist of adding one general purpose lane and one
24 HOV lane, with auxiliary lanes added as needed.
25 This would also result in reconstruction of

1 approximately 34 structures and interchanges to be
2 able to accommodate that widening.

3 The other project that TCA would not be a
4 project proponent for is the arterial's
5 improvements only, it's the blue alternative. This
6 particular project would include expanding Antonio
7 Parkway and La Pata beyond what's included in the
8 master plan of arterial highways. That effectively
9 would be adding one more lane beyond what's in the
10 MPAH. So south of Ortega Highway there would be
11 six lanes and north of Ortega Highway there then
12 would be eight lines. This would be approximately
13 9.6 miles long and would include two wildlife
14 crossings.

15 Now all the next ones I'm talking about, the
16 next six, are TCA projects. TCA would be the
17 project proponent and these would operate as the
18 toll road.

19 The first one that we'll look at is the
20 CC-Avenida La Pata variation. Both of these that
21 are up right now do not have a connection with I-5.
22 The roadway begins at Oso and ends at Avenida Vista
23 Hermosa. They are approximately 8.7 miles long
24 with three interchanges and they have three
25 wildlife crossings.

1 Now, all of the TCA road alternatives, the
2 general road prospecting, are two lanes in both
3 directions; two lanes north and two lanes south,
4 extending from Oso and then down to where they end,
5 depending on the particular alternative.

6 Now, the dark orange alternative is the
7 Alignment 7 Avenida La Pata Variation. This again
8 ends at Vista Hermosa. Both of these alternatives
9 again incorporate transportation system management,
10 which effectively means light timing and turning
11 pockets to help improve traffic movement within the
12 areas.

13 This one, also, the dark orange, is also 8.7
14 miles long with three interchanges and full
15 wildlife crossings.

16 The next four alternatives that I'll talk
17 about are what are known as the full corridor
18 alternatives; they go from Oso to I-5. This first
19 one, which is the central corridor or the yellow
20 alignment, this has the connection with I-5 along
21 Pico with the flyover going over Pico and landing
22 on the I-5. This particular alternative is 14.9
23 miles long with five interchanges and three
24 wildlife crossings.

25 The next three alternatives all have the

1 connection with I-5 down in the vicinity of
2 Cristianitos Road. These are then coming in south
3 of San Clemente.

4 The first one that I'll talk about is the
5 Alignment 7 Far East Crossover - Modified, which is
6 the green alignment. The difference between the
7 green and the lavender alignment here is really
8 north of Ortega Highway where this particular
9 alignment, it does not cross over Canada
10 Gobernadora, it stays in the area that's between
11 Canada Gobernadora and Canada Chiquita.

12 This extends the 241 from Oso down to the
13 I-5 at 16.9 miles long with six interchanges. It
14 preserves connectivity, wildlife connectivity to
15 the east as it abuts against the Talega
16 development. It avoids the Pacific Pocket Mouse
17 and also avoids the Blind/Gabino Wetlands and it
18 has ten wildlife crossings.

19 The lavender alignment which is north of the
20 Far East Corridor - West also extends the 241 from
21 Oso Parkway to Camp Pendleton, it's 16.3 miles long
22 and has six interchanges. This also preserves the
23 wildlife connectivity to the east and avoids the
24 Pacific Pocket Mice and Blind/Gabino Wetlands area
25 and has 11 wildlife crossings.

1 The last one of the full corridor
2 alternatives is the Far East Crossover - Modified.
3 Again, it extends from the 241, from Oso Parkway to
4 Camp Pendleton, it's 16.9 miles long with six
5 interchanges. It also avoids the Pacific Pocket
6 Mouse, avoids the Blind/Gabino wetlands and has 13
7 wildlife crossings.

8 In the alternatives, the first three
9 alternatives is the FEC-M, FEC-W and the A7C-FEC-M.
10 They are all approximately between 16 to 17 miles
11 long. They have interchanges at Oso Parkway,
12 C Street, New Ortega, Avenida Pico, Cristianitos
13 Road and I-5. These three alignments all,
14 coincidentally, have the exact same alignment south
15 of Pico Boulevard.

16 The central alignment, yellow alignment, has
17 interchanges at Oso Parkway, Ortega Highway, Vista
18 Hermosa, Calle del Cerro and the I-5, and it's 14.9
19 miles long.

20 All of these four alternatives would have a
21 toll plaza between Ortega Highway and Oso Parkway.
22 The two short alternatives that end at Vista
23 Hermosa, they are 8.7 miles long and have
24 interchanges at Oso, Ortega Highway and Vista
25 Hermosa and, again, that toll plaza for the main

1 line would be between Oso and Ortega. The AIO
2 alternative, arterial improvement only, has an
3 interchange at Ortega Highway and obviously no toll
4 plaza because it's not a toll facility.

5 And the I-5 widening there are no new
6 intersections, however the intersections would be
7 improved to accommodate the wider freeway; and
8 again, no toll plaza because it would be on that
9 state system.

10 This is a comparison of the alternatives.
11 As you can see in that corner over there, there's a
12 blowup of this. I know it's difficult for you to
13 see this, the numbers are small, but we encourage
14 you to go over there. What we're doing here is
15 we're doing a comparison to the alternatives, we're
16 comparing the traffic and the community impacts.
17 we're doing a comparison of the wetland impact,
18 we're also looking at the habitat and species and
19 then we're looking at the estimated costs within
20 this.

21 So when we're done with our presentations,
22 please go and look at this time. This is also
23 included in our study guide.

24 MS. CLEARY-MILAN: Transportation Corridor
25 Agency has been doing research for the other

1 projects we have worked on. We've preserved or
2 restored nearly 2000 acres of habitat, and these
3 are just examples of the mitigation sites that we
4 have.

5 Over 100 mitigation measures are proposed to
6 mitigate environmental impact to Foothill-South and
7 Upland. The mitigation for Foothill-South will be
8 done at Upper Chiquita. The draft EIS/SEIR can be
9 viewed on our Web site as well as the local Orange
10 County libraries. We also have copies at our
11 office in Irvine as well as the information center
12 down in San Clemente.

13 There are three ways to comment on the
14 document: in letter form, as Mike Harty indicated,
15 online, and today verbally or written. And again,
16 to remind you, the review period ends on August
17 6th.

18 The next steps, the Foothill-Eastern board
19 will take action on a locally preferred alternative
20 early 2005. We would obtain environmental permits
21 and obtain a federal record of decision about a
22 year from now. We would go on to the financing and
23 construction in the 2006, 2007 time period.

24 This concludes staff presentation and again
25 we have the technical representatives around at the

1 tables with maps and graphics to answer any
2 specific questions that you have. Thank you.

3 J. MICHAEL HARTY: Okay. For those of you
4 who would like to provide your perspectives and
5 comments on the draft document and the alternatives
6 that are analyzed in it, we're going to open this
7 up to that public comment process. And what we
8 have here, as I explained earlier, we had people
9 signing up. I know that some of you may be
10 standing in line, and I really want to let you know
11 you can sit down and you're not going to lose your
12 opportunity to speak here. I don't want you to
13 feel like you have to stand all morning, but I'm
14 going to get out of the way here and start the
15 process.

16 So when each of you comes up, what I'll ask
17 you to do is just speak your name into the
18 microphone so the court reporters, whose names are
19 Suzanne and Carmen -- Carmen is not here right
20 now -- state your name. Here is the way it's going
21 to work. There's a timer up here that says five
22 minutes, it's digital, and I'll just start the
23 timer here and the lights will start to flash when
24 you have 30 seconds left, but it encourages you to
25 sum up after 4 minutes and 30 seconds. And then,

1 after 5 minutes, the light says stop and at that
2 point I will truly encourage you to sum up if you
3 have not already.

4 And we're going to be speaking from this
5 podium. The one thing I'd like to remind you is
6 that our court reporters need to be able to
7 understand what you're saying. So while you may
8 feel, and undoubtedly feel very strongly, some of
9 you, about this, the more clearly and slowly and
10 understandably you can speak, the better chance we
11 have for our court reporters to capture what we're
12 saying. And if they need some help, we need to go
13 back over things, I may ask you to slow down a
14 little bit.

15 All right. So who is the first person on
16 our list?

17 EDDIE ROSE: Good morning. I'm former
18 Laguna Niguel City Councilman Eddie Rose. And in
19 deference to all the speakers we have today, I'm
20 not going to use my entire five minutes. I'll be
21 very brief and that will give everyone an
22 opportunity to say what I think is on their mind
23 and what needs to be said here.

24 After the introductory remarks, I'm even
25 more convinced that the best alternative is no

1 build at all.

2 There are obviously a number of
3 environmental impacts that must be addressed
4 relative to the proposed extension of the
5 Foothill-South toll road. Arguably, some of these
6 impacts can be mitigated, others cannot. One area
7 of concern that cannot be mitigated is the impact
8 this proposed toll road would have upon open space
9 in Orange County.

10 As a 25-year resident of Orange County, I
11 can still remember the bountiful orange groves and
12 family farms which inspired the very name of our
13 county.

14 Virtually all of what existed then is now
15 but a memory, having been replaced by cookie-cutter
16 housing developments, unsightly strip malls and
17 graffiti-covered walls.

18 Webster's Dictionary defines "toll" as,
19 quote, the cost in loss or suffering at which
20 something is achieved, end quote.

21 I'd like to repeat that because it's very
22 significant. Webster's Dictionary, if you refer to
23 that, defines "toll" as "The cost in loss or
24 suffering at which something is achieved."

25 What would be loss to Orange County

1 residents is our very quality of life. What would
2 be achieved is more money in the pockets of greedy
3 developers and more campaign dollars in the coffers
4 of unscrupulous elected officials. And believe me,
5 having served on the Laguna Niguel City Council for
6 four years, from 1994 to 1998, I knew a lot of
7 unscrupulous elected officials and I didn't have to
8 go very far to find them either.

9 Make no mistake about it, toll roads do
10 nothing whatsoever to ease traffic congestion.
11 What toll roads do is facilitate future
12 development. Toll roads are in fact a precursor to
13 future development and, as such, are a major
14 contributor to what we have come to recognize as
15 urban sprawl.

16 Open space, whether it be in the form of
17 vast regional parks or smaller community parks,
18 hiking, biking trails, wildlife sanctuaries,
19 wetlands and other natural habitats are not
20 replaceable or mitigatable. Once it is gone, it is
21 gone forever.

22 In conclusion, while it's impossible to
23 quantify the relative costs and dubious benefits of
24 this proposed toll road, I would just like to
25 paraphrase a popular commercial which puts this

1 whole issue in perspective. The average daily
2 round trip to ride the toll road is \$6; the typical
3 cost of a new car to drive on the toll road,
4 \$25,000; the median price of a new home next to the
5 toll road, \$400,000; spending the day with your
6 children or grandchildren in a beautiful park,
7 priceless.

8 ALAN REMINGTON: I'm Allen Remington from
9 Costa Mesa, and Eddie said most of the things that
10 I had on my mind, and he said them more eloquently
11 than I possibly could.

12 I listened to the brief presentations of the
13 TCA; this is not about roads, this is not about
14 transportation, this is about development. Without
15 a road, you can't have development. What I would
16 like to see in the environmental impact report, in
17 the draft and in the final, is how many people will
18 be using that road when it's built and how many
19 will be using that road ten years from now. Roads
20 do not solve traffic, as Eddie said, they bring in
21 traffic.

22 The wildlife crossings are a terrific idea,
23 except one of the reasons they call them wildlife
24 is because they are not trained. I think that it's
25 hard to get them to understand which is theirs, and

1 so far -- it will be a disaster as far as the
2 wildlife, and always is.

3 In my hand here I have a video. This was
4 done -- it's a professional video done against the
5 San Joaquin toll road. Every single complaint that
6 was brought up has come to pass in the San Joaquin
7 Hills toll road. It has been a financial disaster,
8 it has been an social disaster, it has been an
9 ecological disaster. And you can see by the number
10 of -- as Eddie said, the cookie-cutter houses, it
11 hasn't been too pretty to look at either.

12 If I can find Phil Angelini -- is he here?
13 I'm supposed to give a copy of this to Phil
14 Angelini.

15 Anyway, thank you very much.

16 BOB BUNYAN: My name is Bob Bunyan. Last
17 week I was here with my son graduating, the first
18 graduating class. I can tell you that this is
19 quite different from last week.

20 I'm a resident of Mission Viejo, I've lived
21 in Orange County for 45 years, grew up here. I
22 represent the National Association of Industrial
23 and Office Properties; I sit on their board. And
24 that's the industry that builds and operates the
25 workplace facilities that we work in, the offices

1 we work in, the R&D plants we work in, and the
2 manufacturing facilities and warehouses that
3 distribute the products that we use.

4 We want to say to the TCA that we are
5 reviewing the EIR report. We are concerned about
6 mobility, we are concerned about the environment,
7 we are concerned about our workforce. We want to
8 see these things in balance; therefore, our
9 position is that we don't have any preferred
10 alternatives, we are looking at the EIR and we are
11 going to be making our comments to the TCA.

12 NAIOP supports a balanced transportation
13 system in the county. We realize that roads aren't
14 the solution to everything. We realize and we
15 encourage our governmental representatives to look
16 at other forms of transportation, including the
17 various express test services, the light rail
18 systems and anything else that can balance the
19 transportation.

20 I do want to say that having grown up here,
21 gone to school here, worked here all my life, I
22 have a passion for Orange County just as you do.
23 The lady sitting next to me is from Laguna Beach.
24 My parents work there, I grew up on the beach
25 there.

1 Our industry is very sensitive to the
2 environment and we are making every effort we can
3 to change the image of what we do and to support a
4 strong economy but, at the same time, the need to
5 balance with the environment. Thank you.

6 MARNI MAGDA: Hi, I'm Marni Magda.
7 live in Laguna Beach.

8 would you raise your hand if you oppose the
9 toll road, any alternative. Let's make sure that
10 they don't say that we're here on divided sides.
11 Thank you.

12 We need to stop urban sprawl. I've been
13 involved with Friends of the Foothills for three
14 years, going to TCA meetings; a billion dollar road
15 that costs \$9 each way and dumps its pollution into
16 this ocean is a wrong idea.

17 I know you've lived in Laguna Beach and
18 watched the 73 destroy our water quality when the
19 silt is blowing out, and they say it's technology
20 and that it's fine, and that ocean turns into where
21 my sons and I, who swim in it every day, even
22 against our health; we wash in alcohol now.
23 Because when we get out of that water, it's an
24 earache today, and that's even when it looks
25 beautiful. The ocean life is being destroyed by

1 our urbanization. We must stay dense in what is
2 already developed and not go into the
3 infrastructure any further.

4 Supervisor Tom Wilson has spoken to the
5 Laguna Canyon conservancy and talked about the
6 financial problems of Orange County budget. They
7 don't have enough money right now for fire
8 protection. That does not include adding a new
9 toll road into a new infrastructure of 23,000 acres
10 where no one goes right now, and instead, letting
11 cigarettes go out of cars going down that toll
12 road. We cannot afford the fire protection for new
13 infrastructure of a toll road.

14 California has just lost 20 percent of its
15 water from the Colorado River; the law just
16 changed. We are acting -- all of our politicians
17 are acting like there will be no problem with water
18 in Orange County.

19 Laguna Beach has put out that we get all of
20 our water from either the Colorado River or San
21 Francisco. Every drop of Laguna Beach water, check
22 your city, you're in the same problem, the cost of
23 water is going to be huge in this county, it will
24 be like gold.

25 We can't afford afford a toll road that

1 takes that water. We can't afford 14,000 homes
2 that that toll road will be allowed to build. The
3 toll road is too expensive for the taxpayers. We
4 have -- every single taxpayer pays for the paving
5 of the 73 every day that it needs a pothole fixed.
6 We will be paying for the 241 South for 60 years,
7 to have it paved and maintained while rich people
8 who can afford the \$9 each way that it takes to get
9 there, to the 5, will be on that road, our tax
10 dollars will be paid to pave it. We can't afford
11 that road.

12 The TCA has already said that they will stop
13 the project of the 91 in order to build the 241
14 South. They will stop the widening of a section of
15 the 241 that is working while they pay for this
16 road to nowhere to destroy our wilderness.

17 And the final reason that we cannot afford
18 this illegal, illconceived road is that many
19 threatened, endangered species reside in the 23,000
20 acres of the ranch in Mission Viejo. It is the
21 last place that the mountain lion will range. If
22 we put that road through, it destroys the connected
23 corridors. You and I will be alive when the
24 mountain lion goes extinct and all the beauty of
25 the deer, the raccoon that I've watched leave

1 Laguna Beach in the last 18 years that I've lived
2 there.

3 This road has to be stopped. The
4 development of that area has to be stopped. we
5 will be out of oil in 40 years, most projections
6 tell us. When we're out of oil, that stupid toll
7 road will sit there and maybe then mountain lions
8 can use it.

9 LAURA CURRAN: Good morning. My name is
10 Laura Curran, I live in Newport Beach and I grew up
11 in Yorba Linda.

12 First of all, I'd like to thank the Federal
13 Highway Authorities for coming out here. Could the
14 representatives from the Federal Highway
15 Administration please stand so everyone knows who
16 they are? Thank you for coming out today.

17 Okay. I would like to make four points.
18 First of all, I'm mad as can be that the road is
19 the main traffic alternative being considered for
20 South County. We need to look at other
21 alternatives such as urban building in existing
22 areas, super bus lines with regular service, light
23 rail and trains down the freeway.

24 And for all of you who agree with me, I ask
25 you: Have you taken a bus lately? Have you taken

1 the light rail system? Have you traveled on a
2 public transit and enjoyed it? Raise your hand.
3 Okay. And I say this, I travel the Pacific Coast
4 Highway on a bus regularly and it is an interesting
5 ride and I'd encourage you all to try it.

6 So related to the toll road. I oppose the
7 toll road because it will lead to growth inducing
8 impact. Growth inducing impact is what everybody
9 has been talking about. It's called "You build it
10 and they will come." The road that leads to the
11 build-out is Rancho Mission Viejo with 14,000
12 homes, six golf courses and related traffic. If
13 you agree with me, then you will be against this
14 road.

15 Secondly, the road will destroy
16 irreplaceable biologically diverse habitat. If
17 you've read the EIR, there's a lot of information
18 there about mitigation measures and they all sound
19 really good, but they rely on lots of what-ifs.
20 For example, to preserve raptor habitat, it relies
21 on populations elsewhere to maintain the habitat
22 once the habitat in this area is gone.

23 This pattern is repeated over and over, not
24 only for raptors but also for mammals and for the
25 native plant habitat. It really just reminds me of

1 death by a thousand cuts. How many times do you
2 cut the patient before it bleeds out. Or how many
3 times can we take over the open space and destroy
4 our air and our water quality before it's gone.
5 Orange County values its water, its open space and
6 its water quality and we want to see it preserved.

7 And finally, I'm not standing here by
8 myself, I'm standing here with my father, who my
9 father, in 1971, tried, with a group of citizens in
10 Yorba Linda and Brea, to stop the development of
11 Chino Hills Airport. Many of you are -- how many
12 of you have been to the Chino Hills State Park in
13 Yorba Linda? Okay. So the crowd here is from
14 South County, primarily, but many of you have been
15 to Chino Hills State Park. What you may not be
16 aware of is that the original plan for that area
17 was for the world's largest airport. They were
18 going to pave the top and put in the world's
19 largest airport.

20 My father and several of his friends started
21 something called "Prevent the airport in Chino
22 Hills." And we went out, and we had fliers, just
23 like many of the people here today, and rather than
24 building an airport, they stopped that and they
25 built a state park.

1 So if my father were here with me today,
2 he'd be asking me "Why are they going to pave over
3 our open space? And why are they going to pave
4 over San Mateo State Park?" And I ask you today to
5 help us stop this toll road and I ask the Federal
6 Highway Administration to join with us and look at
7 other ways to support Orange County and maintain
8 our open space. Thank you.

9 JEFF SMITH: My name is Jeff Smith. I've
10 lived in Orange County all of my life. Several
11 years ago my family and I moved to San Clemente
12 because we had to escape all the promises that had
13 been made and all the mistakes that had been made
14 because of those promises in all the other parts of
15 Orange County. Where all of my life I've seen
16 nothing but roads built, houses built behind them
17 and then more roads leading to accommodate those
18 houses, and on and on again through the history, as
19 being marched along so there will be more roads,
20 more houses, and then we wonder why we can't seem
21 to come up with a resolution by building another
22 road.

23 Now I'm living in San Clemente and now my
24 city is under siege. We are looking at now an EIR
25 that is nothing but a recipe, a cookbook for how to

1 carve up my city, every single plan proposed.

2 what I really wonder is why we're here
3 talking about a plan that nobody wants when we
4 should be here on a Saturday talking about how to
5 dismantle this institution that continues to push
6 us down a road that we do not want.

7 LARRY PORTER: Hello fellow citizens. My
8 name is Larry porter; I live in Newport Beach. And
9 I was very involved in stopping the Orange County
10 Sanitation District in the pursual of its waiver to
11 dump more contaminants into the ocean off
12 Huntington Beach.

13 I belong to two professional water
14 organizations and I want to bring you up to speed
15 about the potable water picture. You heard what
16 this road portends about the bringing of
17 population, about lining the pockets of the
18 developers. I want to further tell you we live in
19 a situation of a declining water supply that a
20 woman mentioned to you earlier. I want to
21 elaborate.

22 It looks as though we are in a draught, the
23 likes of which have not been seen in 100 years.
24 But the trees tell us that this is really not an
25 uncommon situation. If things go as they have been

1 going, Lake Powell will be dry in two years. The
2 flows to the Colorado River now are looking as
3 though they are about one-third as to what man
4 thought that that river would deliver.

5 Also, possibly you have read about the
6 situation of the levy up in the delta. Through the
7 delta comes half of the water supply that comes
8 into Southern California. It is all based upon
9 these islands that are made by these peat levies,
10 they are like quicksand. This is not a reliable
11 water supply. Just recently, the pumps were turned
12 off. If an event were to happen up in the delta,
13 heaven forbid, an earthquake, and it were to
14 liquify, it would be checkmate. No ifs, ands or
15 buts.

16 Let me make it clear, absolutely clear, if
17 this is to go forward, the water for this project
18 is going to be coming from you, your life will be
19 endangered to supply water that will bring all of
20 the hideous consequences that you have seen from
21 the peoplization of the area around you.

22 Yes, this road has nothing to do with
23 alleviating traffic, this road has everything to do
24 with endangering your ability -- and I'm not trying
25 to just be an alarmest -- to actually survive.

1 Others will talk about the degradation, the
2 inadequate sanitation, the runoff that destroys our
3 beaches, on and on and on. I just want to share
4 about the overall water supply with you and how you
5 are being jeopardized. Thank you.

6 LAURA COHEN: My name is Laura Cohen. I'm
7 from the Donna O'Neill Land Conservancy. I'd like
8 to thank the Federal Highway Administration for
9 providing the opportunity to speak today.

10 I'm executive director of the Donna O'Neill
11 Land Conservancy, as I said, and I want to address
12 the toll road alignments that split the conservancy
13 into pieces. They represent not only severed
14 wildlife preserves but really a broken promise.

15 The conservancy was set aside because of its
16 special diversity. It was set aside in exchange
17 for thousands of homes to be built into Talega, the
18 development next door; in order to make up for the
19 wildlife loss there, when the homes are built, the
20 wildlife is lost, it dies.

21 The conservancy is a promise to our
22 children, a promise that they too will have the
23 opportunity to enjoy the wild creatures we have
24 been so lucky to know. The Donna O'Neill Land
25 Conservancy is very small, just under two square

1 miles, yet it is full of life. We have more than
2 80 species of birds. That's more species of birds
3 than the 1100 square mile Yosemite National Park.

4 On a single two-hour hike this month, we
5 counted almost 200 butterflies of 13 different
6 species. When I was a child in my yard there were
7 lots of butterflies, and I don't know how many of
8 you have noticed, but there are not very many
9 butterflies anymore. But on the conservancy, it's
10 full of butterflies.

11 On the conservancy there's 6,000 oak trees,
12 6,000 coast live oak trees. These trees provide
13 acorns which are the mainstay for woodpeckers,
14 California quail, mule deer and many more species.
15 The oak trees provide shade in the summer for deer,
16 fox, bobcats, mountain lions and many other
17 animals.

18 Cavities are in the older trees, so it's
19 necessary to have the older trees to shelter the
20 babies of Sparrow Hawks, Western Screech Owls,
21 Ash-Throated Flycatchers, acorns and nettles,
22 woodpeckers and more. Hummingbirds and pack rats
23 live in those nests amidst the oak-sheltering
24 branches. Salamanders and hawks avoid the heat of
25 the summer in the burrows under the oak. The bees

1 make honey in the oak hollows. The California
2 sister butterflies, the caterpillars, eat oak
3 leaves, as do many other insects; and these
4 insects, in turn, are the food for many bird
5 species.

6 Okay. These insects, in turn, are the food
7 for many bird species, such as the oak titmouse,
8 the Pacific-slope flycatcher, the bush tic, and
9 many more of those.

10 The reason I mention all of these animals is
11 because they are all linked together and they
12 depend -- the plants and the animals are in an
13 independent union. Beautiful stands of coastal
14 sage brush decorate the hilltops of the
15 conservancy, some of the most intact remaining
16 major valley grasslands cover the slopes.

17 Both of these plant communities are rare in
18 California. And they also shelter special animals
19 just as the oaks, but I won't go into that. The
20 conservancy is a mosaic of woodland, grassland,
21 scrubland and chaparral, very like the time of the
22 Acjachamen people here before us. Thank you.

23 The conservancy was established after many
24 long negotiations; this is important to realize.
25 There were negotiations between the County of

1 Orange, the City of San Clemente, Rancho Mission
2 Viejo, Talega and many local citizens. There are
3 legal documents establishing the conservancy as
4 mitigation for Talega and they state the area's
5 natural elements: ecological, scientific and
6 aesthetic values are of great importance to the
7 people of the State of California [applause].

8 [Inaudible]...people of the County of
9 Orange, and they are worthy of protection and
10 preservation. This is right out of the document.
11 These parties, the county, the city, the ranch, the
12 conservancy, the citizens, they desire that the
13 easement area -- or the easement area's ecological
14 elements, scientific and aesthetic features, be
15 preserved and maintained in perpetuity. In
16 perpetuity, not until the next road comes through.

17 A road through the middle of the conservancy
18 is not consistent with conservation. We all know
19 what happens to wildlife on roads, and not only
20 roadkill, and it's not deer and wildcats only who
21 are killed, but hawks and owls and frogs and
22 snakes. We all know that roadkill can contribute
23 to pollution of the creeks and the air. We know
24 that a large road will cause sheets of water to
25 flow into the canyons and the creeks during the

1 rain, potentially stripping away the soil that
2 covers the oak's roots. Cigarettes thrown from
3 cars can bring wildfires, road bring poachers.
4 Roads are not consistent with conserving wildlife.

5 The conservancy is a promise made by the
6 county, made by the City of San Clemente, made by
7 Rancho Mission Viejo Talega and all the citizens
8 who work to preserve it. It is a promise to Donna
9 O'Neil, who is our namesake, to us, our children
10 and to the future. It is a promise that must not
11 be broken.

12 And I invite you all to come out and see
13 what that promise entails. And especially, I
14 invite the board of directors from the
15 transportation corridor so that they understand.
16 And I thank you all.

17 GEORGE KOBERN: I'm George Kobern from
18 nearby Mission Viejo. And somehow, at some time,
19 it was decided that there would be two worlds.
20 Alongside the natural world there would be an
21 artificial, a manmade world. Even certain animal
22 species have moved in that direction and have
23 modified their habitat.

24 But man has been especially successful in
25 having created an environment that satisfies so

1 many of his needs so well. Most of the time we can
2 count on having a secure footing on which to
3 maneuver. The weather has only minimal impact on
4 his ability to come and go as he wishes. Medical
5 and dental care are readily available and not even
6 the what I will can communicate so well over long
7 distances.

8 Transportation is commonplace on land on and
9 under the water's surface and even beyond the
10 earth's atmosphere, artificial climate control
11 provides a level of comfort unavailable to other
12 species, and our food can be stored safely over
13 long periods of time.

14 And so having achieved so much, why should
15 anyone care about preservation of a small fragment
16 of the world as it once was that lies buried beyond
17 our field of vision, a place that lacks almost all
18 of the comforts that we consider indispensable.

19 Maybe we need at least a remnant of that
20 natural world because we know that too much of a
21 good thing can harm us. But I suspect that the
22 most compelling rationale lies in some tribal
23 memory of families of hunters gathered around the
24 campfire when the survival of our species was in
25 precarious balance, and that the real world, the

1 natural world, was our only home. 98 percent of
2 the time on earth was lived in that home.

3 Our fascination with contrivance continues,
4 but with the growing realization that a deeper
5 sense of fulfillment can only be found in
6 reincorporating a sense of respect for the world as
7 it existed before, when we began redirecting our
8 rivers, reducing our mountains to prairies and
9 allowing intrusive power lines and toll roads to
10 appear where they clearly do not belong.

11 We love our urban lifestyle, its intensity,
12 the sense of accomplishment it provides, but we
13 also need a respite, a time and a place to revisit
14 our past. We need parks and forests that resemble
15 those that our ancestors occupied. Our wilderness
16 is disappearing at an alarming rate. We need your
17 help in protecting what remains. There are many
18 choices before you, but I believe only one
19 honorable one, thank you.

20 KIA MORTAZAVI: Good morning. My name is
21 Kia Mortazavi, I'm the director of planning for the
22 Orange County Transportation Authority. And I want
23 to let you know that OCTA, Orange County
24 Transportation Authority for Transportation
25 Improvements -- [audience interruption]. Sorry

1 about that. Can you hear me now? Good, sorry.

2 Orange County Transportation Authority has a
3 long-range plan to address transportation needs,
4 transportation growing needs, in this county. That
5 plan includes making the freeways that we have
6 today work better. That plan includes adding more
7 buses, so more frequent buses in South County,
8 North County, more frequent metro service, but it
9 also includes completion of the toll road system
10 which includes the extension of this
11 Foothill-South.

12 Now, we understand that there are issues,
13 and I don't want to be flip about it because I know
14 there are significant issues that need to be dealt
15 with, but we hope this process allows for those
16 issues to be heard and hopefully addressed so we
17 can have a solution and we can provide a balanced
18 transportation system. Thank you.

19 [The following portion of the
20 transcript was reported by
21 Carmen Hunter.]
22
23
24
25

1 PAUL CARLTON: Good afternoon. My name is Paul
2 Carlton. I live in San Clemente.

3 I'm a Sierra Club member, a founder -- one of
4 the founders of the Friends of the Foothills and we've
5 been working against this toll road for ten years now,
6 and we're going to defeat this toll road. It is
7 essential -- it is essential that Orange County develop
8 alternate means of transportation rather than
9 continually relying on more and more freeways and toll
10 roads.

11 I'm opposed to all toll road alternatives
12 because of the destruction to the natural habitat that
13 these routes will do.

14 Just a couple specific complaints that I have.
15 First, many of you know the Chiquita Canyon just south
16 of here has one of the largest populations of the
17 California Gnatcatcher that exists. This is an
18 endangered bird, and no mitigation projects are going to
19 make it preserve, make it safe.

20 Secondly, I don't know if you realize it, but
21 the toll road is going to be right out there, just a
22 couple hundred yards west -- east of this high school.
23 Think of the noise for the students in the high school,
24 think of the pollution that's going to be coming into
25 the high school because of the roar of the traffic and

1 the gas emission from the automobiles.

2 Second, I'm a member of the Donna O'Neil Land
3 Conservancy and I volunteer there and I want to support
4 100 percent all the comments that Laura Cohen made.
5 She's done a wonderful job out there and the three
6 eastern segments of a possible toll road would just
7 devastate that park. So that alone to me is enough
8 reason not have -- have these toll roads go through.

9 Third, a toll road through the Rancho
10 Mission Viejo area would endanger several wildlife
11 corridors connecting the open space in the west such as
12 Riley Park, O'Neil Park, Ladera conservation areas, land
13 conservancy and the future Desecha Regional Park with
14 Caspers Regional Park and Cleveland National Forest to
15 the east.

16 On the existing route, 241, three mountain
17 lions have been killed, 75 deer and 50 coyotes over the
18 past four years. More could be expected to be killed on
19 a continuing basis with or without wildlife underpasses.

20 Fourth, I lead regular hikes in the area from
21 San Mateo campground to the mouth of San Mateo Creek.
22 The turmoil created by the I-5 is bad enough. To add an
23 interchange for the I-5 and the extended Foothill-South
24 toll road would make this area unusable for this type of
25 recreation. And, of course, the very popular San Mateo

1 campground will be obliterated or -- as it is so close
2 to the toll road that it would be unusable.

3 Also, the pollution which is created by runoff
4 from such a huge interchange would put an end to one of
5 the really clean surfing beaches left, Trestles.

6 Also, in this area there's an area -- there's
7 an area of population of endangered Pacific Pocket Mouse
8 which the alternative routes, the west -- the eastern
9 alternative routes would make it inhabitable for that
10 poor little mouse.

11 Fifth, the toll road and freeways take a
12 tremendous amount of land which would reduce the amount
13 of open space in the Rancho Mission Viejo plan. So the
14 detriment is to both native plants and wild animals.

15 Lastly, the fees which the Rancho Mission Viejo
16 Company would pay to the Transportation Corridor Agency
17 or system, whatever they call it now, in which the TCA
18 would pay to the Rancho Mission Viejo Company should be
19 made a public record now. I wish the officials of those
20 agencies would put those figures out for the public to
21 see.

22 I got several other comments, but I could talk
23 all night, actually, but I'll close now. And stop the
24 toll road.

25 CARA HOROWITZ: Hi, my name is Cara Horowitz.

1 I'm here with the Natural Resources Defense Counsel or
2 NRDC, and I'm here to state our absolute and continued
3 opposition to the toll road.

4 As many of you know, NRDC is a national,
5 nonprofit environmental organization with over 550,000
6 members; 115,000 of whom live here in California. And
7 we continue our strong opposition to the road for many
8 reasons that have already been discussed. And I'll just
9 briefly go through some of them again.

10 First of all, though, let me say how aspiring
11 it is to see all of you out here on a beautiful Saturday
12 morning doing this with your time, and I really
13 appreciate you being here, and I'm just overwhelmed. So
14 thanks very much.

15 As you all know, the proposed road is
16 incredibly environmentally harmful. It's to be built
17 across the middle of one of the last remaining stretches
18 of undeveloped coastal open space in Southern
19 Orange County, and to be fair, Southern California as a
20 whole. It's planned along a globally significant
21 ecological landscape that serves as one of the last
22 remaining refuges for so many of our endangered species
23 here in Southern California that has been recognized.

24 The southern Steelhead Trout of which there are
25 fewer than 500 that remain, the California Gnatcatcher

1 that's gravely in peril, the Pacific Pocket Mouse are
2 just three of the several of the many endangered species
3 that make our home along this last remaining open space
4 in southern Orange County.

5 And I ask where these species will go if we
6 continue our relentless development and push? And I
7 think there's one obvious answer. And I think it's
8 ironic that Camp Pendelton, the marine training base,
9 will become the last island of refuge for so many of the
10 species.

11 The Marines, I have to point out, have recently
12 got themselves exempted from the various endangered
13 species laws that will protect them. So absolutely
14 unacceptable alternative in our view.

15 As many pointed out, the road will also be
16 placed through some of the last unspoiled watershed in
17 Southern California, which are critically important for
18 our water quality, our beaches, our surfing at Trestles,
19 our coastal health, and so much of the recreation that
20 has made Southern California famous and a mecca for
21 tourists.

22 I also want to say that we're opposed to the
23 road because it runs right through one of our most
24 popular state parks, San Onofre State Park, as well as
25 the land conservancy. I think our state parks -- and

1 I'm sure you agree, our state parks deserve better than
2 to be the path of least resistance for so many of these
3 new development projects.

4 San Onofre State Park -- San Onofre State Park
5 is used by California communities and by families for
6 camping, for world class surfing. And I think it's
7 absolutely unacceptable that the federal government
8 thinks it can come and build a road right through our
9 state park here in San Onofre.

10 Finally, I just want to say the toll road, as
11 we all recognize, is fiscally unsound and unnecessary.
12 The Orange County toll road system has been, I'll say,
13 less than a stellar success.

14 The San Joaquin Hills Road is an example of a
15 road that was pushed down the throats of a local
16 community only to be financially unsound and is about to
17 default on its construction bonds. And there's no
18 reason to think that this road will be any different.

19 In sum, the toll road won't solve our traffic
20 problems which will take a tremendous toll on our
21 environment and our recreation opportunities in Southern
22 California. And for all of these reasons, NRDC and its
23 members are staunchly against the toll road and any of
24 the proposed alternatives. And we hope you're
25 listening.

1 Thank you.

2 RICHARD WATSON: My name is Richard Watson.
3 I'm a resident of northern Mission Viejo, a native of
4 Orange County.

5 I've seen a lot of change in this county since
6 I was a kid. I'm a geographer planner, did his master
7 thesis on open space and planning in the San Fernando
8 valley when something could have been done about it.

9 I've talked -- including transportation
10 planning. And I'm one of those people who has a
11 transponder and actually uses the corridor, especially
12 the 241. I actually enjoyed riding along the open
13 space, and it's probably the closest thing we have down
14 here to the 680 that they have in the bay area.

15 I support the extension of the Foothill
16 corridor and construction of the Foothill-South. We
17 need it now and we're going to need it more in the
18 future.

19 I think much of the opposition appears to be
20 related to the preservation of open space, and I think
21 since the 1970s, we'd actually done a pretty good job in
22 southern Orange County with balancing open space and
23 development.

24 Since the approval of the general plan
25 amendments to accommodate the Aliso Viejo plan community

1 in 1979, each of the planned communities has preserved
2 more than 50 percent of its total area as permanent open
3 space. Furthermore, in our urban county, 20 percent of
4 this county is in the Cleveland National Forest so we
5 have an urban county that has a lot of open space.

6 I support any one of the three -- I support any
7 one of three far eastern alternatives that will go
8 around existing development and join the I-5 in Camp
9 Pendelton, in that portion that's temporarily leased to
10 the state or San Onofre State Park.

11 We need to develop road capacity to accommodate
12 regional north south traffic, much of which has been,
13 continues to be, and will be traffic between L.A. County
14 and San Diego County or the Mexican border. We also
15 need connectivity in the regional transportation system
16 with alternative routes rather than dumping traffic on
17 the arterials, as a couple of the alternatives do, or
18 expanding the I-5 quarter depending on one massive
19 corridor.

20 It appears to me that the environmental impacts
21 have been properly mitigated and the wildlife
22 connectivity is preserved.

23 I am particularly impressed with the water
24 quality best management practices that are proposed to
25 be included in this plan. Until recently we've not

1 given sufficient attention to water quality, and that's
2 a very important environmental factor. I recommend that
3 the TCA make its decision based on sound planning, good
4 science, and reason rather than emotion.

5 DEBBY COKEN: My name is Debby Coken. I'm a
6 member of the Nature Conservancy and the California --
7 I'm a member of the Nature Conservancy and the
8 California Native Plant Society and the Sierra Club and
9 the NRDC and a lot of other organizations, but I'm just
10 here talking for myself.

11 I can't see a benefit that can come from
12 extending the toll road that could outweigh the
13 resulting damage to the Orange County landscape and
14 quality of life. None of the toll roads has made money.
15 The 73 has only a fraction of the originally projected
16 ridership. The 271 extension would probably be the
17 same.

18 The tax payers have had to put huge amounts of
19 money into the toll roads. They had to resurface the 73
20 and reconstruct the faulty water runoff system and buy
21 our way out of a noncompete contract. And what we have
22 to lose more than money is a state park, a land
23 conservancy, biological diversity, wildlife habitat,
24 clean water and a big chunk of the remaining open space
25 in Orange County.

1 Let's not sacrifice these irreplaceable
2 resources for the benefit of developers. Let's cut our
3 losses now and choose the no action alternative.

4 GARY MEREDITH: My name is Gary Meredith, and I
5 do a lot of bird photography. I also read the
6 Orange County Register every day. Did any of you ever
7 read this in the business section, "Merger Hits Speed
8 Bump?" Boy, isn't that amazing? We're running out of
9 money. The money that is spent -- thank you.

10 The money that would be spent on this project,
11 I just -- I just don't see it. It's only four
12 developers. I mean, four developers only. And I picked
13 up this, the Foothill-South Guide. Now, if their toll
14 road is so great, why don't they put a toll road down
15 the center of this photo.

16 I mean, I'm a photographer. Usually when I
17 photograph something, I put the emphasis on what I want
18 to photograph. And this is about a toll road. I mean,
19 I just don't understand this.

20 Well, as a bird watcher and a bird
21 photographer, I love going out to the Donna O'Neil Land
22 Conservancy. How many of you have not been there? You
23 should go there. It is a beautiful place to see.

24 Birds? Boy, you want to talk about birds?
25 That's where they're at. We also have a lot of birds.

1 Look right outside this window here. Do any of us want
2 to see a toll road out there? I don't think so. Well,
3 there is one person that might.

4 But the bottom line here is this -- the thought
5 of the TCA, I just cannot understand. I believe in
6 common sense. Foothill-South toll road. No common
7 sense. No common sense at all.

8 So, no on the Foothill-South; no on driving the
9 toll roads, period. I put 15,000 miles a year on my
10 car. Will I ever drive the toll roads? Never. And
11 that includes if they were for free. Huh-uh, no.

12 Last summer I was with a person. We were
13 driving towards the 73 and she wanted to get on. I
14 opened my door. I threatened to jump out.

15 And she says "You object to the toll roads?" I
16 said, "I'm a wildlife photographer. I'm a bird watcher.
17 Yes, I do object. And with me in the car, you're not
18 going to get on any toll road."

19 And she says, "well, I guess you're one of
20 those people that Rush Limbaugh refers to as a wacko
21 environmentalist." And I'm proud of it.

22 So everybody have a great day. No to the
23 Foothill-South. No to the toll roads, period.

24 Thank you.

25 PETE VAN NUYS: Good afternoon. My name is

1 Pete Van Nuys, and I want to talk about traffic.

2 The Foothill-South is a ridiculous idea in all
3 its forms. It is indeed a road to nowhere. Unlike the
4 241 North which links the Inland Empire with the
5 economics of Orange County, Foothill-South does not
6 provide any vital links.

7 It's absurd to suggest that traffic between
8 San Diego and the Inland Empire will drive to Santa Ana
9 Canyon, pay nine bucks for the privilege and backtrack
10 to its destination. It's ridiculous to imagine that
11 southbound drivers will get off the I-5 in Buena Park,
12 take the 91 halfway to Corona, then pay nine bucks so
13 they can reconnect with the 5 again in San Clemente.

14 Foothill-South is a mere appendage through
15 yet-to-be approved sprawl. It's an extravagance which
16 duplicates an arterial network which would be perfectly
17 adequate for local traffic here in south county. Even
18 as a much touted escape route for nuclear emergency,
19 this route fails. Most of San Clemente will have to
20 drive toward San Onofre to get on this turkey.

21 A convenience for a local few, Foothill-South
22 will not lessen dependence on the I-5. In fact, that's
23 really why we're here today. The level of service on
24 the I-5 is the issue. It's the standard by which even
25 the TCA must judge all their so-called alternatives.

1 What TCA isn't telling anybody is that even
2 with the Foothill-South built, Caltrans will have to
3 widen the I-5 through south county. Additionally,
4 California high speed rail has selected the I-5 as the
5 preferred alignment for double traffic. A potential
6 investment of a billion dollars in the 5 which will
7 permanently get the tracks off the beach.

8 The fact is, major improvement on the I-5 is
9 inevitable whether the Foothill-South is built or not
10 because without transportation alternatives, traffic
11 levels by 2030 will demand it. The I-5 is the aorta,
12 the carotid artery for the state of California. It's
13 vital to our financial health, a direct link between
14 San Diego, Orange County, L.A. County and points north.

15 241 is not a direct link to anywhere and will
16 never be a viable alternate route to the 5. TCA's own
17 propaganda admits this. "The I-5 widening alternative,"
18 as they call it, "produces the highest level of service
19 of all their proposals."

20 By this admission the TCA is hoist by their
21 petard. Foothill-South is revealed to be an absurd
22 gambit by a self-serving agency. Let's not just stop
23 the toll road. Let's abolish the TCA.

24 DANNI MYERSON: Hi to everyone still here. I'm
25 Danni Myerson. I'm a local biologist and 24, and my

1 whole years of life living here in Irvine. I grew up
2 here, exploring the canyons, playing at the beaches.
3 And now I've gone through college and I've gone through
4 three years of my career of the singular goal of
5 protecting this land, saving what I love. So thank you
6 everyone for being here helping.

7 Unfortunately, my college career coincided with
8 the mad rush of the bulldozers. I know about in the
9 last decade, California and Southern California has
10 really exploded. That's when I was off at school
11 training myself to stop them.

12 I got back and there wasn't much left. But
13 luckily for me and luckily for every single person
14 sitting here, what is left is Rancho Santa Margarita,
15 which is the single most biologically diverse and
16 ecologically important area in all of North America.

17 It's still intact and we can save it. It's --
18 in my opinion, there's no good option. There's no good
19 toll road option. We can expand roads, we can do
20 alternate transportation methods. We can't build a new
21 road. We can't lose this land. We can't sacrifice any
22 Rancho coastal land.

23 What we sit on now and whose heart is actually
24 on the Rancho itself is a biological hot spot, which is
25 a region with huge numbers of unique species, plant and

1 animal, considered to be vital to the survival of life
2 on earth. There are 25 of them in the whole world, a
3 third of earth's species confined to them; 1.4 percent
4 of the earth's land surface. And the only one on the
5 entire continent is right here.

6 We can't lose it. There's only one biological
7 hot spot in North America, and this is it. If we allow
8 the toll road to fragment it and pave it, we'll be
9 witness to what scientists all over the world are
10 fighting to prevent, which is the mass collapse of
11 species, the widespread rapid extinction starting with
12 large predators and ending with the small (inaudible).

13 Our last remaining open spaces are deemed as
14 some of the most (inaudible) in the globe. They're
15 threatend by development, pollution, roads, the
16 endangerment of the non-native vegetation.

17 And Orange County is one of the few on our
18 continent with more than ten endangered or threatened
19 species crowded on to it. In the whole country, we have
20 one of the most.

21 So we can't afford to lose an inch of it.
22 Thousands of people, scientists as influential as Jane
23 Goodall who spoke recently on -- I'm sorry -- to support
24 this land, who spent the last ten years fighting tooth
25 and nail to save the (inaudible) in Rancho.

1 So we have to stop it. We have to stop this
2 road. We have to fight.

3 I just want to tell one short story about my
4 experience on the land and that's all, and I'll quit.

5 About a year ago, I was out on the land. I was
6 lucky enough to get a permit to do some research there.
7 I was doing some dust monitoring for some raptors who
8 had a really well-established nest, checking out the
9 babies.

10 Over the hill comes people, dozers. I look
11 over the hill and what is a pile of oaks in the middle
12 of nesting season -- which I don't even think is
13 legal -- and rocks and everything you can imagine under
14 this pile. It's California and on top of it is now
15 about two dozen (inaudible) of boxes of rich people
16 inside. Doesn't fit in with any of us and it certainly
17 is a disadvantage to the rest of the planet.

18 So I just suggest to everyone that you find the
19 strength and the time to oppose this development any way
20 you can. You can write, you can volunteer, anything you
21 can do. We need this land. We don't know what will
22 happen when these mass extinctions occur. We don't know
23 if humans will be next.

24 This land is the staple that connects Mexico,
25 California, Arizona, all of it comes together right

1 here. If it ceases to exist, it's going to be a ripple
2 effect. Everything will die. And I'm not being
3 extreme. I'm being honest. We need to save it because
4 we don't know what will be next.

5 So please help defeat this road.

6 JULIA DEWEES: Hi, my name is Julia Dewees, and
7 I'm a resident of San Clemente. I'm a mom. I'm a
8 teacher, and I'm a volunteer.

9 I've been working with the people in my
10 neighborhood, the Trestles community, and with the
11 Friends of the Foothill for nearly a decade to stop this
12 toll road. The fact that thousands of people turned out
13 here today is evidence that my volunteerism has made a
14 difference.

15 When I first started to work with Friends of
16 the Foothill, in my community there were about 20 or so
17 of us who wanted to stop the toll road because it didn't
18 sound like it made sense. And most of the time, the
19 opposition would say to us, "There's nothing you can do.
20 It's a done deal."

21 And I'm standing here to tell you that when I
22 started to work to stop the toll road, they had plans to
23 build an eight-lane highway with construction ready to
24 start in 2001.

25 I stand before you in 2004. Their plans have

1 been reduced to a four-lane road. They have yet to pass
2 their environmental impact report, which is why we're
3 here today. It will have an environmental impact. And
4 the road has not yet been started.

5 The T- -- the TCA has money. The TCA has lots
6 of great pamphlets and billboards and signs on the
7 freeway, but we have public opinion. And in the eight
8 years I've been working on this, public opinion has
9 changed. Person by person, phone call by phone call,
10 letter by letter, word by word we are changing the
11 public opinion and letting the people know that we do
12 not want a toll road to come through southern
13 Orange County.

14 My husband and I chose to raise our family --
15 this is my son, Bryce -- raise our family here in
16 San Clemente, in southern Orange County. I choose to
17 teach the children in southern Orange County because
18 this is a place where quality of life matters, and we
19 live here and work here because of the quality of life.

20 San Clemente has the small village-by-the-sea
21 atmosphere. A toll road and the development that it
22 would invite would ruin that. It is unconscionable to
23 put a toll road through San Clemente. It is -- there is
24 absolutely no reason whatsoever that a toll road will
25 solve any of the problems that the TCA or other people

1 who oppose it say that it will solve.

2 Mr. Van Nuys said that very nicely, so I won't
3 repeat him. The Donna O'Neil Land Conservancy is a
4 place where we hiked. We walked along coastal sage,
5 wild flowers. We've watched birds soar. We've seen
6 wildlife.

7 I don't want this to be just a memory in our
8 photo albums. I want this to be something that Bryce's
9 children can experience with me when I'm a grandma. Oh,
10 my. I want my children to never have the experience of
11 walking down Trestles where he surfs and seeing a sign
12 that says "Stay out of the water. It's polluted."

13 If you can picture where the 74 hits the 5 and
14 move that picture of that concrete structure right over
15 the bridge down to uppers, 100 feet in the air with
16 paved creek creating an El Toro Y at Trestles, a Doheny
17 at the Beach, that's not what I want for my children,
18 that's not what I want for my students, that's not what
19 I want for any of you.

20 We need to save Trestles, San Mateo Creek.
21 It's the last free-flowing watershed from its source.
22 There's nothing else. It's the last stand we have. It
23 is unreasonable to create a toll road that would invite
24 the development of 14,000 homes in our back country.

25 One only need to look at Aliso Viejo to see

1 what a toll road would do to a community. The toll road
2 and the sprawl that it will induce will inevitably
3 contribute to increased air pollution, increased noise
4 pollution and increased water pollution. This is not
5 something we can support.

6 Many people are being swayed by TCA to fight
7 the Pico alignment and TCA strategy here is to push the
8 alignment that's preferred to the far east alignment. I
9 need to tell you that no alignment is the only option.

10 We need to save Trestles, San Mateo campground,
11 the land conservation. But we need to save
12 San Clemente. We need to save southern Orange County.
13 we need to save what's left, so it's not just a memory
14 for our children and they're children.

15 By stopping the toll road now, we're not only
16 preserving the quality of life for ourselves, but we're
17 living out our ideals for generations to come, and
18 that's something that we can all work towards together.

19 Thank you.

20 LYNNETTE ADOLFSON: Hello, my name is Lynnette
21 Adolfson. I'm a resident of Mission Viejo and I've been
22 in the San Juan Capistrano, Mission Viejo area since
23 1976.

24 And since that time, I've watched the traffic
25 get worse and worse. And I don't have all the answers.

1 I'm here actually to speak in support of something,
2 hopefully, whether it's a toll road or something, but I
3 know something has to be done for the traffic because
4 there's so much congestion, and if their predictions are
5 correct, by the year 2025, we will be spending the
6 majority of our lives sitting on freeways, and that's
7 not how I want to spend my quality time.

8 I don't know exactly which alternative is best.
9 I have not looked at the EIR, but I have a tendency to
10 support the far east, west alignment or the modified
11 alignment because it does preserve more wetlands and
12 does not destroy as much habitat, and it's a little bit
13 less expensive.

14 But I also believe the toll road will be an
15 emergency route in the case of a San Onofre evacuation
16 (sic). For San Juan Capistrano residents, right now the
17 only evacuation routes are Rancho Viejo Road -- the only
18 evacuation routes are Rancho Viejo Road and Coast
19 Highway to get out of the area in the event of an
20 emergency at San Onofre, and the I-5 Freeway. So I do
21 believe that there's some need for some other
22 alternative routes for emergency purposes.

23 And I do also believe as developers have
24 developed areas that are nowhere near freeways, that
25 development will continue to occur as long as cities'

1 general plans and zoning allows that for development to
2 occur, whether there's a road or not.

3 Look at Talega Valley. Look at Rancho Santa
4 Margarita. Rancho Mission Viejo will develop in the
5 future because people will come here. People have come
6 here since I've lived here in 1976, and I didn't want
7 any more people, but all these homes have been built
8 since then and that creates traffic.

9 So I support other methods of transportation to
10 be improved such as rails and other bus routes, and
11 those types of things, but I believe that there's also a
12 need for other means to help the traffic congestion in
13 the future.

14 Thank you.

15 JOHN VANETTEN: My name name is John Vanetten.
16 I'm a resident of Lake Forest, and I am a lifetime
17 resident of Orange County. I support the no build
18 alternative.

19 And I want to say in response to these points
20 being made, they aren't just based on emotion. They're
21 based on fact. How many people choose a spouse based on
22 scientific fact or emotion?

23 Not only that, but these decisions should be
24 made on financial reasoning as well as scientific -- and
25 good science. I wanted to say that in spite of the

1 exclusive billboard advertising on our county's
2 highways, the Foothill-South toll road has not attracted
3 enough ridership to justify its extension through either
4 a heavily used state park or a mitigated land
5 conservancy.

6 It is yet to be proven that building more roads
7 will relieve traffic congestion. I would like to see
8 some kind of case study where you've factually proven
9 this.

10 It's becoming more apparent that these agencies
11 are avoiding looking into more alternative means of
12 transportation. I ask that the highway administration
13 please look at other modes of transportation.

14 And it is not the tax payers' responsibility to
15 bail out these corporate ventures, which already proven
16 to be a financial failure. And it is not the tax
17 payers' job to support developers' business ventures
18 either.

19 Thank you very much.

20 BRIAN WOODWARD: Hi, my name is Brian Woodward.
21 I live in the city of San Diego. I'm the chairman of
22 the San Diego chapter of Surf Rider Foundation.

23 Surf Rider Foundation is a nonprofit,
24 volunteer, grassroots, environmental organization
25 dedicated to the preservation of our beaches and oceans

1 through conservation, activism, research and education.

2 This project goes against most of those parameters.

3 I'd like to speak about the recreational
4 resource that's at stake here. Most of you know
5 Trestles, Churches, San Onofre, very dear to all of our
6 hearts. This is a regional community issue. This is
7 not an Orange County issue. This is a San Diego issue
8 as well.

9 Most our of 4,000 paying members of Surf Rider
10 in San Diego County make their way up to Trestles,
11 San O', spend a lot of time and money up there as well.
12 And nowhere in the draft EIS is really addressed the
13 impacts to Trestles, Churches or San O', any of the surf
14 spots.

15 Further, the idea that you could ever, ever
16 mitigate for impacts to any of these areas is just
17 preposterous. I won't get into the beach goers, and the
18 campground users, but, you know, those people are also
19 going to be impacted by this project if it goes through.
20 We intend to keep it from going through.

21 Now, on the drive up here from San Diego, we
22 stopped by -- well, it was raining on the way up, kind
23 of a light drizzle, but it was enough for some cooling
24 and some runoff to start occurring.

25 So I didn't bring any drinking water up here

1 with me. what this is is urban runoff. we picked it up
2 on the way up here. This is what happens when roads are
3 built. This is what happens -- and I don't want to surf
4 in this, and I don't think any of you do. So, that
5 being said.

6 Now, I also work as a biologist and
7 environmental consultant in San Diego County and all
8 over Southern California. I'm registered with the Fish
9 and wildlife Service as an Arroyo toad handler and
10 monitor and surveyor. And I can personally attest to
11 the sensitivity of this species.

12 The Arroyo toad is very sensitive to any change
13 in water quality or sedimentation of their habitat. And
14 this proposal would definitely impact the viability of
15 that species in this region.

16 we need to do everything we can to try and
17 preserve these species among all the others that have
18 been mentioned by my other biologist friend here. And
19 I'd also like to give some testimony to just what an
20 incredible watershed the San Mateo watershed is.

21 I do a lot of work up in Camp Pendelton, and
22 I've had the opportunity to be out there in February
23 when its raining, downpouring. And the creek comes
24 alive and everything -- boulders are moving. Sand is
25 flowing down the creek going down to Trestles, going

1 down to -- giving us more sand bars and -- everything is
2 alive.

3 And putting this whole proposal together and
4 trying to make it happen is just it's going to
5 completely degrade that experience. It's going to
6 degrade the habitat. It's not a good idea.

7 Lastly, I leave you with this from one of my
8 favorite authors. It's a thought that resonates -- it's
9 pretty self-explanatory, and that is "Growth for
10 growth's sake is ideology of a cancer cell."

11 We don't need any more growth. We need to do
12 something else. There's plenty of other ideas. We're
13 very smart people. We can find other ways to deal with
14 our problems.

15 I'm not -- for no alternative. I don't want to
16 see this proposal go through.

17 KURT STANLEY: Good morning. It sounds like
18 most of the speakers I've heard today are preaching to
19 the choir. And I'm going to probably sing something a
20 little off tune, but I'd ask for your patience and open
21 mind and understanding.

22 I'd like to talk to you this morning on behalf
23 of two perspectives. Number one, as a representative of
24 the Orange County Regional Chamber of Commerce. And I
25 don't think you can overstate or I can overstate the

1 importance of the toll roads in the past that they've
2 had on the Orange County economy.

3 By using the toll roads, employees get to work
4 quickly. Vendors and clients are easy to access
5 Orange County companies more easily thanks to the toll
6 roads. Studies have shown that the Orange County
7 businesses and commutes have saved over 300 million a
8 year because of the toll roads. They save that in time
9 they save that in gas and they save that in convenience.

10 Now, the Foothill-South -- that's okay. We all
11 have our opinions.

12 Foothill-South will alleviate traffic
13 congestion in the southernmost part of Orange County.
14 Personally, if you drive every day like I have to, the
15 toll road system is literally a life blood of survival.

16 Thank you. I have considered the train.

17 The toll roads have been a boom for the
18 business in Orange County, and a completion of the toll
19 road will benefit both residents and businesses
20 throughout the communities.

21 Now, one of the things that I have from a
22 personal perspective is as long as we continue to grow
23 housing development and commercial sites, the congestion
24 is going to get more and more. And I don't think any of
25 us here want the commercial -- commercial spots or the

1 housing to stop.

2 So we need to have -- oh, you do? Well, then
3 you probably got the wrong thing, because TCA has
4 nothing to do with commercial real estate. They have to
5 do with housing; right? So maybe we ought to have this
6 at a different site.

7 Bottom line is there's a lot of congestion.
8 And I personally don't like leaving the house in the
9 morning and trying to go down Oso or Crown Valley or
10 Alicia or Ortega Highway to try to get to I-5. I spend
11 much too many time there.

12 I think if you travel for a living -- and not
13 many of you have to do that. But if you travel for a
14 living, I think it's important that we consider an
15 alternate source.

16 I also would like to suggest that although I've
17 heard a couple of times that potentially the California
18 government might find over a billion dollars to widen
19 I-5, I doubt, being responsible for corporations'
20 financial responsibility, that that's going to happen in
21 near future. So I think that's an unviable alternative.
22 The money will not be available.

23 I also would like to say that as a ten-year
24 resident of Rancho Santa Margarita, I'm happy to be a
25 resident, but would never have moved here without the

1 toll roads. Even my kids, when I bought the house said,
2 "Dad, why are you moving way out into nowhere?" And now
3 the area is even developing further.

4 Ladies and gentlemen, all I'd like to ask you
5 to consider today is that we need an alternative form of
6 transportation besides the I-5. And we believe that
7 economy can survive better, traffic will be less
8 congested with the completion of the toll road.

9 Thank you for your time. You've been very,
10 very nice. I appreciate your effort.

11 Thank you.

12 WAYNE EGGLESTON: My name is Wayne Eggleston.
13 I'm a city counsel member of San Clemente, and I oppose
14 the extension of the toll road.

15 Isn't it interesting that those who are least
16 affected by the toll road in Rancho Santa Margarita and
17 Mission Viejo want it? For the toll road to even come
18 through the Donna O'Neil Conservancy or the San Mateo
19 campground is absolutely outrageous.

20 I'm not going to describe all the environmental
21 reasons today why we do not need it. Others have done
22 that. I'd like to talk very briefly about strategically
23 how we should win.

24 All the groups that are represented here today
25 from San Clemente, Pico and Trestles need to form

1 together to save San Clemente. Divided we cannot win.
2 United we will win.

3 There are alternatives. La Pata needs to be
4 extended to San Antonio Parkway. We need regional
5 roads, not toll roads. Unfortunately, there are only
6 two of us on city council who are opposed to the toll
7 road. One of them is up for re-election in November. I
8 have two more years, but Stephanie Dory is up for
9 election. Stephanie was not able to be here today.
10 She's out of the country, but I must tell you that
11 through the election process, you can do a lot.

12 We are here today to save San Clemente. Let's
13 do it.

14 RICHARD GARDNER: Hello. My name is Richard
15 Gardner. I'm from Capistrano Beach. I want to follow
16 up with what Wayne said on a couple of things and from
17 the strategy point of view.

18 I've been involved for a while and I started to
19 realize that it's always, "Stop the toll road," "Stop
20 the traffic," "Save the habitat," "Save the water
21 quality," stop, save, stop, save. What we're all doing
22 here is to try to explain we want to preserve our
23 quality of life and our -- this wonderful habitat that
24 we have back here.

25 One thing that Orange County is missing: What

1 is different about Orange County and San Diego,
2 Riverside and all of the surrounding areas of
3 California? We do not have a resource conservation
4 district. That's a special empowered thing. It's hire
5 than a county. It comes under state law and can work
6 directly with the federal government. It does not need
7 to go through the state or the county or the Caltrans as
8 a small player in the federal picture.

9 So an RCD can go after money to actually
10 acquire the open space and extend the Donna O'Neil
11 Conservancy out to Caspers Park out to Cleveland
12 National Forest and all the way to the coast. We need a
13 plan that builds a bio corridor not a toll road.

14 Now, who's doing the bio-corridor? Who wants
15 to be on the bio-corridor committee? Because that's the
16 RCD. Now, we need people to be on the board. We're
17 going to need somebody from Surf Rider. We're going to
18 need probably somebody from the stop the -- Sierra Club,
19 stop the -- Friends of the Foothill. We're going to
20 need environmentalists along with academic people from
21 the universities.

22 We need water quality people and we need board
23 that are going to preserve things that we're here to try
24 to save, that once we're empowered, they can even obtain
25 finances to do that.

1 I should go on a little bit just to say that
2 with the exception of Wayne, I don't see very many
3 politicians up here saying, "well, I'm from Dana Point.
4 I'm in favor of the toll road" or "I'm from
5 Mission Viejo and we like the toll road" or all the
6 other cities who seem to be in favor because somehow
7 they think this toll road is really going to help them.

8 But, you know, it's really not. And when they
9 look very closely to traffic analysis, you'll see that
10 it's not going to remove all the traffic on to the 5.
11 The traffic's going to become worse by the
12 growth-inducing effects of the toll road.

13 So we're missing the politicians. Where are
14 they? They don't have the "huevos" to come to this kind
15 of a meeting.

16 Anyway, there's one more thing that I think
17 might be worth considering and maybe the RCD can look at
18 that, is what we don't need is a -- we don't need a toll
19 road. What we might need is a toll on the new
20 development that they're planning to put back here.

21 So we're going to put in a \$700,00 home and
22 another thousand over here. Well, just kick in the
23 bucks to build the kind of infrastructure that we don't
24 need a toll road for.

25 Thank you very much.

1 STEVE PEZMAN: Hi, my name is Steve Pezman, and
2 I publish the Surfers Journal, and I was the publisher
3 of Surfer Magazine from 1970 to 1991. And I frequently
4 speak on behalf of this board of surfing. I'm here
5 today to focus my comments on the Trestles surfing area
6 and the extension the toll road poses to that area.

7 Surf breaks are extremely valuable, natural
8 recreational resources. The army core of engineering
9 did a study of beach usage in the early '70s that I
10 advised them on in which they listed all the uses of the
11 beach area and attached a value, recreational value to
12 each hour of beach use. And surfing and marinas and
13 ocean-front golf courses, they rated the highest.

14 The return on investment of a surf break, of a
15 natural occurring surf break, is by far the highest
16 because they occur naturally, whereas the others take
17 tens and millions of dollars to create.

18 The Trestles -- the surf complex at Trestles,
19 which is threatened by the potential toll road
20 extension, runs from San Onofre to Cotton's Point and it
21 is a priceless, unduplicateable recreational resource
22 that is unique in the world.

23 It is well-reknown, well respected. Surfers
24 from all over the world come to it to experience that
25 surfing pleasure. There -- most surf breaks in Southern

1 California are now approximate to urban development.
2 Trestles is one of the few remaining rural surfing
3 experiences left.

4 The toll road extension threatens the surf
5 resource in terms of water quality and in terms of the
6 quality of the surf break. The hydraulics of the surf
7 break are very delicate. The washout of the San Mateo
8 creek forms an eluvial crescent of cobble stones and
9 silt and deposits that causes the shift of the waves to
10 be unique. It is a year-round resource, and there's no
11 known way to mitigate for its loss.

12 There are many -- I've been surfing Trestles
13 for almost 50 years. There are those that have been
14 surfing for 20 years -- 20 years longer than myself.

15 I -- it has a great personal, emotional value
16 to me. It has -- and to all the surfers, the thousands
17 and tens of thousands and hundreds of thousands of
18 surfers who experience that place and of the general
19 citizens who come to watch who enjoy the surfing there
20 as merely spectators, beach walkers, hikers and runners.

21 The impact of the connection, the overpass that
22 comes down on to the freeway there, elevates 60 feet
23 over the top of the 5 and comes down. It's a large
24 cement structure. It's a non-aesthetic structure. It
25 moves 75 yards towards the beach from the current path

1 with the 5.

2 Everything imposes itself. Everything about
3 that toll road destroys and degrades the Trestle surfing
4 experience and I -- the entire worldwide surfing
5 community is firmly entrenched against it.

6 Thank you.

7 CHRIS EVANS: Thank you, Steve.

8 My name is Chris Evans. I'm the United States
9 executive director of the Surf Rider Foundation. Thanks
10 for coming today.

11 I represent 60 chapters across every coast of
12 the United States and every island possession of the
13 United States. 40,000 of our activists are on this
14 record and have been on this record multiple times
15 against this project for every reason stated here today
16 and every permutation and every alignment of this
17 project.

18 This is a toll road, a road, a freeway that
19 doesn't need to be built. There isn't a reason. The --
20 President Clinton created, and President Bush staff, the
21 United States Commission on Ocean Policy, which is in
22 the process right now of releasing its seminal report.
23 This is the first comprehensive report of the state of
24 America receiving (inaudible) in 35 years. This is
25 really important.

1 The (inaudible) commission released its report
2 about a year ago. The findings -- the creation of both
3 of these commissions covers the breadth of political
4 diversity. It's absolutely covers the breadth of
5 scientific opinion and academic thought and both these
6 commissions contain the blue ribbon of blue ribbon
7 panels. Both of these commissions, both of these
8 reports have generated findings that are remarkably
9 consistent.

10 This toll road process is wholly and entirely
11 uninformed by the results of these reports, and it has
12 to be because these two processes occurred
13 simultaneously. It's imperative that the decision
14 makers in this process understand the findings of these
15 two reports. Because both of these reports are
16 remarkably consistent about the number one problem to
17 receiving ocean waters in this country is urban sprawl
18 and urban runoff.

19 Surf Rider Foundation, Sierra Club, NRDC,
20 everybody that's weighed in on this, and our next
21 speaker will talk about that, are against FECM, FECW,
22 AL7C, FECM, for the no-brainer reason that they go
23 through parks and land conservancies. This isn't close.

24 The environmental impact report and the
25 environmental impact statement are remarkably silent as

1 to the recreational resource issues at Trestles and the
2 San Mateo campground.

3 But the capper for me personally, and I'd like
4 to just address the transportation or the planning
5 student or scholar that was up here earlier that was in
6 favor of toll roads reminds me of one of the most cogent
7 things I've ever heard expressed at any one of these
8 meetings.

9 It was by a young man of the Sierra Club,
10 Friends of the Foothill meeting some years ago who said
11 we need this road. It really reminds me of "I have a
12 weight problem. I'm too fat. I need bigger pants."

13 Wendell Berry, the great philosopher and writer
14 wrote it better on the paper he wrote called "In
15 Distrust of Movements" when he said that movements that
16 don't address the root causes and sources are doomed to
17 fail. The root source and cause of transportation
18 overcrowding in this county isn't a lack of road.

19 Let me just leave you with one last thought.
20 The conclusion in this environmental impact report that
21 there are no water quality impacts, no water quality
22 impacts is the conclusion.

23 It's not only false, but it is insulting.
24 There are over 11,000 beach closures due to that issue
25 in this country last year. This road will ensure that

1 there are more of them.

2 Thanks for listening to me.

3 (The following portion of the
4 transcript was reported by Suzanne
5 stringfellow.)

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1 MARK MASSADA: My name is Mark Massada and I
2 represent Sierra Club. I direct Sierra Club's
3 coastal programs. And on behalf of Sierra Club and
4 our hundreds of thousands of California members,
5 I'd like to welcome the Federal Transportation
6 officials to Orange County, and I'd especially like
7 to thank the hundreds of volunteers who have chosen
8 to spend their Saturday addressing you regarding
9 this toll road today.

10 And on behalf of Sierra Club and our allies,
11 the Surf Rider Foundation and Friends of the
12 Foothills, NRDC and others, I'd like to make one
13 point unequivocally clear, one point absolutely
14 clear, and that is that we're not here to compare
15 alternatives and we're not here to debate which
16 freeway alignment causes the least amount of
17 environmental destruction and ocean degradation,
18 we're here to tell you we do not want any more toll
19 roads of any kind. That means none; that means
20 zippo, zilch.

21 In addition, take that message to Washington
22 D.C.; you cannot have our open space, you cannot
23 have our state parks, you cannot have our land
24 conservancy and you cannot have our canyons, our
25 mesas, our beaches and our wilderness.

1 Together, there are millions of us and we
2 intend to fight to stop the toll road. Instead,
3 we're here to praise the natural environment and to
4 praise our coast and protection of coastal
5 resources. You heard that Trestles is the Yosemite
6 of surfing. You wouldn't build a freeway or a toll
7 road through Yosemite and you shouldn't build one
8 through San Clemente.

9 We're here for the beach and not the roads;
10 we're here for healthy beaches. Healthy beaches
11 are California's calling card, it's our front yard,
12 it's our backyard, beaches are our playground, our
13 supermarket, our churches, they are our wilderness
14 and they are our welcome mat, they are our peace
15 offering to the world. And just because we need
16 roads doesn't mean that we like roads or that we
17 need or want more roads.

18 We're here to say no more toll roads, that
19 we want surf, we want levees, we want sunny days
20 and solar power; no more toll roads. We want
21 coastal protection. No one here today supports
22 more polluted beaches or more smog or more habitat
23 loss or less open space or open space paved over.
24 We want clean beaches. We want clean beaches for
25 us, for our neighbors, for our children and for

1 future generations.

2 Your toll road is incompatible with our
3 goals and we ask today that you take the message
4 back to Washington D.C. that we do not want toll
5 roads, nor do we want the TCA. And instead of
6 building more toll roads, we ask that you retire
7 them. Thank you.

8 STEVE NETHERBY: Thank you, I appreciate
9 your applause. My name is Steve Netherby, I'm from
10 San Clemente, and I wanted to thank all of you for
11 coming today and backing the no-build alternative.
12 You inspire me. Thank you very much.

13 As president Lyndon Johnson said, after he
14 signed the Wilderness Act of 1964, "If future
15 generations are to remember us with gratitude
16 rather than contempt, we must leave them a glimpse
17 of the world as it was in the beginning, not just
18 after we got through with it."

19 Theodore Roosevelt said, "Short-sited man in
20 their greed and selfishness will, if permitted, rob
21 our country of half its charm by the reckless
22 extermination of all useful and beautiful wild
23 things."

24 Let's face it, friends, if this toll road in
25 the Rancho Mission Viejo development plan comes to

1 pass, the most precious parts of Orange County,
2 including our priceless beaches, will have been
3 raped to finance personal and corporate greed.

4 Under the guise of reducing traffic and
5 making possible the American dream of home
6 ownership, this road and the hyperdevelopment it
7 will unleash will increase traffic on I-5 and all
8 of our other streets. Can you name one place
9 where more roads meant less traffic? It will
10 smother our last open spaces in concrete and
11 stucco, decimate our wildlife, destroy a state
12 park, an irreplaceable land conservancy, drown
13 our last wild beaches in people and pollution
14 and strain our water and power resources to the
15 breaking point.

16 We must re-wean the road builders and
17 developers from their outmoded compulsion to
18 contain the wild west and compel them to turn their
19 genius to save the true American dream; a life of
20 quality, not congestion, of wide open spaces where
21 you and I and Mother Earth can breathe deep and
22 clean.

23 The toll road and development of Rancho
24 Mission Viejo are greed caught with its pants down.
25 They are raped, brutal and heartless, of Teddy

1 Roosevelt's "useful and beautiful wild things." If
2 future generations are to remember us with
3 gratitude, rather contempt, as Lyndon Johnson put
4 it, you and I cannot permit these things to happen.

5 ANNE M. MORRIGAN: My name Anne M. Morrigan,
6 I grew up in Huntington Beach, lived a little in
7 Fullerton, currently reside in Westminster. That's
8 a long way from your drive down here.

9 You may be wondering "What does somebody
10 from North County have to do with what's going on
11 in San Clemente and Mission Viejo?" Well, I drive
12 for a living, so I found the comments of one of the
13 speakers before me kind of interesting. The
14 gentleman from the chamber of commerce saying how
15 good these toll roads are for business and, you
16 know, I drive for a living; as I say, I work out of
17 Costa Mesa.

18 I drive in South County a lot; I don't drive
19 the toll roads. I sit in traffic on freeways and
20 surface streets like the rest of you. I don't
21 touch the toll roads because, you know, a paycheck
22 is one thing, quality of life is another. I sit in
23 traffic and I look up at the billboards that the
24 TCA puts up on the freeways, "Life's too short"
25 and, yeah, but it's not so short that I need to

1 mess over future generations just to get what's
2 coming to me now.

3 The other speaker who inspired me was the
4 one who appealed to science, said "Let's not listen
5 to emotion, let's listen to science." Well, I'm
6 not a scientist, I'm -- bluntly, I'm a blue collar
7 sloth, okay, but what I am is a skeptic, and when I
8 look at the propaganda that the TCA puts out about
9 how they are going to mitigate, about how this is
10 going to solve congestion, and then I look at their
11 route to a conservancy that was supposed to be
12 mitigation, and I look at the figures they are
13 giving for congestion and my -- what's called my
14 "baloney detector" is pegging off the scale.

15 So I could go on about the signs, about the
16 congestion and about overpopulation, but everyone
17 who has spoken before me has said it much more
18 eloquently, so I'll just close by saying: It's
19 worth the drive down here to stand with you, and
20 the only option is no build. Thank you.

21 J. MICHAEL HARTY: I want to explain to you
22 what the schedule is. We are going to go until
23 1:30. That's not the end of the day, but then we
24 are going to take a 20-minute break just so I can
25 get a break and go to the bathroom and various

1 other things I can do in 20 minutes, and then we
2 are going to start right back up again.

3 Our sense is that, rather than have another
4 presentation, you'd like to just continue with the
5 comments. So for your planning purposes, at 1:30
6 we'll take a 20-minute break and then we'll get
7 right back on to the comments.

8 And if, at some point later on in the
9 afternoon, people would like to have this quick
10 presentation that Macie and Paul provided, we will
11 be happy to do that, but we want to devote the time
12 to comments, so we are on until 1:30.

13 MARILY ANDERSON: I'm Marily Anderson from
14 San Clemente. I live close to the beach, and I
15 stand up here and I actually feel like I'm
16 preaching to the choir. I have learned some things
17 today, though, and I really appreciate the speakers
18 that are here.

19 I think the committee group is supposed to
20 be for our government, to listen to us, and I
21 really hope they're listening. And I want to thank
22 the Surfrider Foundation and the Sierra Club and
23 the Natural Resource Defense Council for listening
24 to our community and supporting us and helping us
25 in our fight to stop the toll road.

1 I could reiterate what people have said and
2 I think that we need to use existing transportation
3 corridors. We need to use the 5, we need to talk
4 about light rail, we need to talk about freight
5 rail, we need to talk about being thrust off the
6 road and using light rail and doing more smart
7 transportation.

8 I also believe, like most people here
9 believe, that more roads are not going to stop
10 traffic congestion; I really don't believe that.
11 I don't believe it's an argument to do this, and
12 most of us don't believe that. And if you talk to
13 people in Colorado and all over the country where
14 roads just bring more building and more traffic.
15 So that doesn't work.

16 The other thing I really wanted to talk
17 about is I wanted to talk about whether this was an
18 emotional decision or not, because people look at
19 us and act like we're the emotional ones, we're
20 trying to preserve our way of life, that we're
21 somehow selfish, that we want to stop this for
22 other people, benefit somebody else someplace else.

23 But I'd like to say that I think that these
24 people making these decisions are sitting up in
25 offices with these big maps and they are looking at

1 the line of the 241 that stops right there, and I
2 think they are emotionally attached to continuing
3 that line on down the 5. They are emotionally
4 attached to doing what they wanted to do 22 years
5 ago, whenever they made this decision.

6 And I want to tell them they can transcend
7 that and take into account what's happening right
8 now. And right now we're running out of water,
9 we're going to run out of water before we run out
10 of oil. We need to look futuristically and not --
11 you know, get your mind out of the '70s and
12 the '80s and think; we have to talk about other
13 alternatives.

14 And yes, we can have this map and two
15 freeways can stop right there and nobody is going
16 to die; I mean it's okay. And I hope you can hear
17 that. It's okay, we can stop right now. At some
18 point we've got to stop, and I think now is a good
19 time. Let's take care of what we have and let's
20 not go through this conservation area that was a
21 mediation for another area.

22 The last thing I want to say is you can't
23 mitigate a dirty beach by planting a few wild
24 flowers inland, you just can't do that.

25 GARY HALSTEAD: My name is Gary Halstead.

1 I'm a resident of San Clemente. Isn't it funny
2 that this meeting that's all about San Clemente is
3 being held 16 miles away. Like most of our
4 relatives, my wife and I have searched long and
5 hard to find the place that we lived. We were
6 looking for a small town with a peaceful quality of
7 life and we found it in San Clemente. It was one
8 of the last such towns available, certainly along
9 the coast in Southern California, and it was also
10 one of the only ones we could afford.

11 The proposed expansion of the 241 toll road
12 will forever change the nature of this community
13 and area, it will change it from the town that we
14 love. The disruption caused by additional traffic
15 though this community is not wanted.

16 The central corridor route is especially
17 disconcerting. The elevated interchange between
18 the I-5 and this version of the 241 extension
19 completely changes the views to the residents of
20 the area that they moved here to enjoy.

21 The added noise, pollution and the fact that
22 it displaces over 1300 residents from their homes
23 is not to be accepted. It also removes 100
24 businesses from our community and that completely
25 affects the way we all live in San Clemente.

1 why is it that, when advising San Clemente
2 residents of the proposed extension of the 241,
3 none of the residents wanting their homes to be
4 removed or their businesses to be taken away that
5 we spoke with, have been directly advised of their
6 potential future. Displaced residents will be
7 faced with the prospect of trying to find new
8 places to live, now costing many more times than
9 the homes that they lost and even if they are able
10 to find and afford them, they will face much higher
11 property taxes for the rest of their lives.

12 In the last 15 years, three toll roads have
13 been constructed in Southern California, one has
14 failed as a private venture and it has been
15 returned to the state; one is near bankruptcy.
16 None has achieved the utilization that was expected
17 and traffic congestion has been very little
18 relieved.

19 Do not extend the 241 through San Clemente.
20 Don't split the community by putting the toll road
21 down the center. Don't destroy the 600 homes and
22 100 businesses and a lifestyle that defines San
23 Clemente. No on the toll roads.

24 ELOISE BODIFORD: I'm Eloise Bodiford. I
25 live in San Clemente. I'm 87 years old and I've

1 live in the same house for 38 years and am still
2 there. And I hope that I can tell you my concern
3 about the toll road south before Alzheimer's sets
4 in here today.

5 I think that the toll road south extension
6 to the San Onofre State Beach, it's our last state
7 park anywhere in California. Since it was approved
8 12 years ago, it is a quiet nature getaway.
9 There's 161 units in the San Mateo campground.
10 It's a rural coastal valley, it's quite affordable,
11 and it is easy excess for thousands of families.
12 So it's safe away from cars, toll roads and it's
13 just a nice quiet little site. It's one of our
14 remaining surfing breaks, which is Trestles.
15 Trestles is one of the most famous surfing beaches
16 in the world. The toll road would interfere with
17 the natural screens of the erosion, we have
18 sedimentation; it will pollute our creeks and it
19 will affect our Trestles surfing beach.

20 I think that what will happen is that what
21 we have at the south end of South Orange County,
22 this is just like a little handful of nature's
23 wonderful treasures. There are 25 of the
24 ecological wonders of the world in that particular
25 little area, and if you doubt it, you can check

1 your science magazine and they will verify this
2 fact.

3 Rancho Mission Viejo wants to build 13,000
4 homes in 5 million square feet of commercial space,
5 but the CEO of this -- Mr. Moiso, I guess that's
6 the way you say his name -- he was quoted that if
7 the toll road isn't there, we will just build a
8 road. well, why not let the developers build their
9 own road before they want to build a toll road
10 south and have everybody pick up the tab for that
11 particular road. I know that most of the people
12 here today are like me. I'm just a citizen, a
13 taxpayer, a voter, a concerned citizen, a
14 grandmother, whose daughter, whose grandchildren go
15 surfing at Trestles Beach. And I go there and I
16 watch them, and everybody has a very nice quiet
17 enjoyable time.

18 So I think that we need to support the
19 people that are trying to verify this in our
20 council. we have a councilman, Carl Warkomski of
21 San Juan Capistrano and Aliso Viejo, who works very
22 hard against seeing this toll road south go in.
23 And we also have a councilman in San Clemente named
24 Mr. Wayne Eggleston and he also is working very
25 hard to keep this toll road from ruining our little

1 area in San Clemente.

2 This is a rural area at the south end of
3 Orange County. It's the last little best beach
4 that's there. And if they build the toll road, it
5 will ruin our area, it will never be the same
6 because you can't rebuild what God put there in the
7 very beginning.

8 STEVE BURGESS: My name is Steve Burgess.
9 I'm from San Clemente. First, I know I speak for
10 most people when I say we don't want your toll
11 road. Secondly, I see we are showing various
12 alternative alignments and most of these alignments
13 are nothing more than a smokescreen. They are
14 there to divert your attention away from the true
15 alignment that the TCA wants to use, which are
16 through the open space.

17 They know full well no one is going to allow
18 them to put a road through the very middle of San
19 Clemente next to the high school; it's not going to
20 happen. They are looking at the park, they think
21 if we defeat the coalternative and some of the
22 others, that the park, one, will go through because
23 we will not notice it. Proponents of the toll
24 road, we have to stay united, we have to defeat any
25 alignment.

1 And TCA tells us that the toll road will
2 make our lives better, it will reduce traffic;
3 absolute propaganda, pack of lies. As most people
4 have previously said, but it needs stating again, a
5 new road will increase development, there's no
6 question about that. All you have to do is drive
7 outside anywhere, you find me a road that is not
8 developed, you're going to be doing real well.

9 That really is about it. The extra
10 development that would go in as the toll road goes
11 in is going to increase air pollution, water
12 pollution, it's just going to be a total disaster.
13 We need to fight it, we need to stop it and
14 opponents, we need to stick together in this,
15 nothing is acceptable except no option.

16 PETER BONGE: My name is Peter Bonge. I've
17 been a resident of San Clemente for about 18 years,
18 and I'm also here to speak out against the toll
19 road.

20 I do want to acknowledge the people who have
21 spoken for the toll road, just for their courage to
22 be here. A democratic process can be a messy one,
23 but I'm encouraged to see that it's happened.
24 Although, at times I feel kind of scared about the
25 process in this country, how at times it's almost

1 like cattle being led along to slaughter.

2 So there's some skepticism, and I really
3 wonder if what I have to say, what you have to say,
4 is really taken into account. And it's an
5 emotional issue, I feel emotional right now. I
6 think about the San Mateo campground. I went with
7 my daughter on a field trip and it's close to San
8 Clemente, so it's easy to go there, plus bussing
9 costs a lot, so field trips don't go very far; so
10 they utilize that.

11 And even when they talk about going by, you
12 know, an area, an open space area, the noise
13 impacts and how do you measure that? How do we
14 quantify and experience?

15 And I think that it's really important that
16 we are doing this EIR report, that it's being done,
17 but does it really take into account the change in
18 our life and what our children will be
19 experiencing.

20 And then just to address the economics of
21 it, I understand that this meeting is about the
22 EIR, the economics. There's an interesting
23 perspective, that it looks like the 73 is 22
24 percent below ridership. I understand the 241 is 3
25 percent above; so overall, 19 percent down below.

1 30 percent and it goes bankrupt, and there's
2 already talk about the 73 going bankrupt.

3 Now, who is going to bear the burden of
4 those bonds? I understand Phillip Morris owns a
5 lot of those bonds. They want to make a profit and
6 they pull strings. So eventually, it's going to
7 fall on the burden of the taxpayers; that means
8 money that comes out of the general fund, which
9 gets sucked away from maintaining parks or buying
10 new open space.

11 So is that something that's being considered
12 in the EIR? If this does not turn out to be
13 financially viable, what kind of impact does that
14 have in taking money away from other resources?

15 Thank you, and I appreciate the opportunity
16 to speak.

17 BRIAN KATZ: I'm Brian Katz, and I'm from
18 San Diego. I came up here to find out about -- I'm
19 not as intimately involved in the opposition of
20 this project, there's a lot of other people. I
21 found out about this pretty recently, I was
22 concerned because I'm a user of Trestles and other
23 beaches and other social activities in Orange
24 County and business activities in Orange County.

25 But people are working hard on this and know

1 a lot more about the issues and speak a lot better
2 and are putting a lot more sweat into it. I really
3 appreciate it. I really appreciate it, as someone
4 who can't give that much time. So we do use your
5 resources and respect them and we want them to be
6 as pristine as you do, and we appreciate all your
7 work.

8 There was one speaker who talked, and I
9 respect them too, you deserve a lot of credit to
10 come up here, it's kind of a contentious meeting.
11 But there was a number thrown out, I think it was
12 300 million would be the cost of savings in time if
13 this road is built; I don't even know where the
14 number comes from. But even if the number is
15 justified by some kind of research, it's hard for
16 me to think that if someone did own Trestles, they
17 could sell it for 300 million. Or any other thing,
18 you can combine that with the parks and the open
19 space, and I don't know how many houses you'd have
20 to build on that beachfront property at a million
21 dollars a pop, plus the beaches, plus everything
22 else to maybe make a profit off the 300 million.

23 But I don't think that's a valid argument
24 when you're talking about cultural and
25 environmental resources that have been used as long

1 as people have been in California and hopefully as
2 long as people will be.

3 And lastly, I didn't expect this to be so
4 big, it's really inspiring to see that. There's a
5 lot of people who really strongly feel about the
6 way they do. But if there is anyone listening here
7 who does write checks, who does sign contracts, who
8 does finalize the decisions, it's hard for me to
9 understand how, after listening to all these
10 people -- and there are people who have a
11 legitimate voice on the other side, but obviously
12 there is a general feeling of which way this
13 project should go. I don't think anyone can
14 dispute that.

15 And anyone who still goes forward with this
16 toll road after listening to all these talks, all
17 this impassioned speech, at the very least, has a
18 misunderstanding, and at the very worst, has a
19 contempt for democracy. Thank you.

20 SHEILA KESSLER: Yea for San Clemente. I'm
21 Sheila Kessler and I live in San Clemente. And
22 specifically, I live in this little area that's
23 behind the juncture at the interchange of I-5 and
24 Pico. I'm here to represent that group, that this
25 Pico, and the alternatives, the three alternatives

1 that are at Pico, may end up being the path of
2 least resistance, which is totally frightening for
3 those of us that live there.

4 First let me describe, because this is not
5 clear in the EIS, let me describe what it would
6 look like. It's not only the 693 homes that have
7 already been mentioned that would be removed, but
8 it would be the surviving people that would lose
9 the whole quality of life in San Clemente. It's
10 not just 113 businesses that would be removed, it's
11 the businesses who are left would have a divided
12 San Clemente where people couldn't get to them.

13 It's not the employees that would be let go
14 because the businesses have left, it is all the
15 ones that would be less attracted to living in San
16 Clemente because, in reality, it's more than the
17 pocket mouse, and it is more than the steelhead
18 trout. San Clemente itself is an endangered
19 species.

20 My husband and I, we're two years away from
21 retiring. We saved our money, we saved all of our
22 savings and we looked for three years for a couple
23 of things. We looked for a community with a
24 quality of life. We looked for getting away from
25 the cement and getting back to nature, and we found

1 it in San Clemente. We've been there for three
2 years and we want to be there five years from now.
3 A lot of people don't realize what this would look
4 like. This road comes around the back of Wal-Mart,
5 the Wal-Mart, Lowe's Plaza, it takes out that whole
6 plaza. That plaza just sold for \$580 million.
7 It's the most expensive piece of retail real estate
8 in Southern California. It takes out new homes
9 right behind Wal-Mart, comes down Pico, takes out
10 the high school, takes out all the businesses
11 between Albertson's and I-5. It starts -- for
12 those of you that know San Clemente, it starts --
13 another arterial comes around St. Andrews Church on
14 the top, hundreds of feet high on the top of the
15 hill and transverses down to Ole Hanson's, buys out
16 Ole Hanson's Elementary School, and leaves us with
17 an El Toro Y interchange right in the path of
18 everybody's view.

19 And it is not just the loss of the view, it
20 is the loss of nature, and we can't go back, we
21 cannot go back. So this is one story, but there
22 are a thousand homes. The economic impact they
23 talk about, the EIS, now this would be a little
24 more expensive alternative. They don't talk about
25 the economic impact to us personally, there are

1 over a thousand homes that would be directly
2 impacted. When my husband and I looked for homes
3 three years ago, those houses that were directly
4 along I-5 were bigger, they were newer, they were
5 beautiful and they had better views. But they were
6 a third of the cost less than what we bought
7 because of all the noise along the I-5.

8 This, in an elevated way, would bring that
9 freeway eyeball to eyeball, eardrum to eardrum,
10 with trucks going along the way. It stays elevated
11 until the end of San Clemente and then drops into
12 the existing I-5. That splits all the view of San
13 Clemente going from Pico all the way down to
14 Southern San Clemente. It not only splits the
15 view, it splits our community, it makes us an
16 island for the existence within.

17 Now, for what, I ask? You guys that
18 personally comes out of our back pockets. This
19 will cost us as much as the freeway will cost the
20 financiers. If you take a thousand homes and
21 multiply anywhere from \$300,000 to a million dollar
22 loss, depending on the home, it will cost us
23 personally as much as it will cost at the lowest
24 possibility, the freeway.

25 And that's not in the EIS, because all they

1 care about is what it's going to cost the toll road
2 to build. And I ask, for what? I mean absolutely
3 for what? To line the developers' pockets inland?
4 It is not about relieving traffic. It takes eight
5 lanes of existing traffic on I-5 and feeds in
6 another eight lanes of new traffic, and it all
7 comes to a screeching halt in Southern San Clemente
8 and backs up with all the fumes, all the air
9 quality and all the visual pollution right in front
10 of a thousand homes.

11 So we have a lot of our presentation because
12 it's so important to preserve our land and our
13 nature, but Pico has been underrepresented in this
14 whole thing and I'm here to make sure that all
15 those thousand residences and the multiple
16 residents within that, get equal attention to the
17 pocket mouse. Thank you.

18 CHARLES LAWSON: Hello, my name is Charles
19 Lawson; I'm a neighbor of the previous speaker. So
20 I live in San Clemente in the homes that are up
21 above the high school. And my first reaction to
22 all of this is from a very personal point of view.
23 My pocketbook would be reduced by 150- or \$200,000,
24 probably, if that big interchange at Pico and the
25 I-5 were put in, because right now I have a view of

T-1

1 mountains and ocean and, with this freeway, I would
2 have a view of an interchange.

3 And I spoke to the person staffing the
4 socioeconomic display back here about it and he
5 says no, we don't take that kind of thing into
6 account in our figuring, so it's not in the cost,
7 and he wasn't sure I really would have that loss.
8 well, I think these planners need to get realistic.
9 I think we would have that cost.

T-1

10 I'd like to make a point that I think
11 everybody that was here today should be thought of
12 as representing at least ten more people, because I
13 went around my neighborhood knocking on people's
14 doors and encouraging them to take account of this
15 meeting, and some people had birthdays and some
16 people had weddings to go to and some people are
17 too old to drive now, and some people thought the
18 ideas of building a freeway down Pico was so
19 ridiculous, that nobody would ever really do it.
20 And so, for every one person that's here, there's
21 nine people that are still back there that weren't
22 here today but think this whole idea is just
23 ridiculous, so it isn't worth the time to talk
24 about it.

25 I want to say that I'm honored and humbled

1 to be in the company of the people that have spoken
2 here that have given so much time and thought to
3 this issue. And the idea that maybe the whole Pico
4 alignment was just thrown into this thing to try to
5 split up San Clemente, I think indeed we do need to
6 all work together. And I'm very happy to see Wayne
7 Eggleston here today, and we all remember city
8 council from San Clemente that was here. And
9 Steve, who was a candidate for the council a couple
10 of years ago, I'm very pleased to see him here
11 today too, I know he's pushed this for a long, long
12 time.

13 So where are the people that are in favor of
14 this? We secured a couple of people here today
15 that are in favor of it. We haven't heard any
16 other public officials, any city council people.
17 Do they prefer to conduct their business kind of in
18 a back room somewhere, is that it?

19 I'll just conclude by say it seems to me
20 this whole thing is driven by bureaucratic inertia
21 and developers' agreed and it needs to be stopped.

22 MIKE GUANDY: Hello, my name is Mike Guandy,
23 I'm a resident of South Orange County and, although
24 I'm a member of the Rotary Club and chamber of
25 commerce, I'm here just as a resident, just a

1 regular guy, and recognize it as a significant
2 transportation problem in all of Orange County,
3 including South Orange County.

4 And giving public testimony, I wanted to let
5 those decision-makers know that there are people in
6 Orange County who believe they are doing a good
7 job. They are looking at all of the alternatives
8 and trying to make the best decision for each and
9 every one of them. It's not always going to please
10 100 percent all of the time. But for those of you
11 who are listening and have the responsibility of
12 the decision, please know there are people out
13 there supporting you and that belief that this is
14 the appropriate thing to do for all of Orange
15 County. Thank you.

16 MARGARET WHITELAW: My name is Margaret
17 whitelaw. I'm a San Clemente resident, by the way.
18 One of the previous speakers likened the roads --
19 talked about growth per growth, per se, and likened
20 it to a cancer cell. well, I've just been recently
21 diagnosed with breast cancer and let me tell you,
22 growth per growth, per se, is ugly. I've had three
23 surgeries in the last six weeks. I don't feel very
24 good, I'm tired, I'm in a lot of pain. I should
25 probably be home in bed. But my opposition to the

1 Foothill-South toll road, I got up, dragged my
2 daughters and my friends here so I could voice my
3 opinion.

4 I'm a surfer, I've lived in Southern
5 California for my entire life. I've been surfing
6 at Trestles and San Clemente since I was ten years
7 old; now my children surf there too. The
8 Foothill-South toll road makes a lot of sense if
9 you're a real estate developer and you have no
10 conscious and you are motivated by money and greed.

11 But for the rest of us human beings who live
12 on this earth and care about nature and ecology and
13 the future of the world, it is an abomination. For
14 those of not motivated by money and greed, the
15 ocean and foothills are valuable.

16 we live here and enjoy a way of life that is
17 exceptional. We have clean surf, something that is
18 becoming more and more rare in California and the
19 world. We have a beautiful open space with
20 endangered animals and plants. We have campgrounds
21 and hiking trails, natural beauty. We treasure
22 this, our children treasure this, thousands of
23 tourists treasure this. It is priceless. It
24 cannot be replaced.

25 Retribution can not make up for what would

1 be gone forever. If the Foothill-South toll road
2 is allowed to do its money-irreversible damage to
3 South Orange County, we will become a sad
4 statistic.

5 Our grandchildren will only hear stories of
6 how it once was. The citizens of California will
7 not benefit from this in any way. Only the real
8 estate developers will benefit. Pollution and
9 overpopulation is what they are trying to force
10 down our throats. Please help us. Think about the
11 future of our world. Help us preserve a lasting
12 legacy for our children. 100 years from now, what
13 will be important? How do you want to be
14 remembered? We do not really own this world, we
15 are borrowing it from our children. Please don't
16 let the toll road take its toll on our future.
17 Think about it, search your conscious, do the right
18 thing.

19 ALEXA WHITELAW: Hi, my name is Alexa
20 Whitelaw. I do not want the toll road to be built
21 because it kills animals and it's not good. I
22 think that we should keep the ocean like this and
23 not do that because, when I grow up and I have
24 children, they will only know about the ocean and
25 won't know how beautiful it was when I was little.

1 How would the others be able to do things like surf
2 there when the toll road is there, when it's
3 polluted. Nobody wants to surf in a polluted
4 ocean; not even the fish and the sharks, but all
5 the animals that live down here. It's not fair. I
6 think that we should keep the ocean like this and
7 not have a toll road.

8 MACKENZIE WHITELAW: Hi, I'm Mackenzie
9 Whitelaw. I know I am just ten and I'm not old
10 enough to be a voter or anything parents can be,
11 but I know the difference between right and wrong
12 and I know that the toll road is wrong.

13 Something that destroys the beauty and
14 nature we have is something that we cannot afford.
15 All our land would be destroyed if you destroy one
16 piece of right-away, and I don't think that's
17 right.

18 J. MICHAEL HARTY: I said we were going to
19 take a break at 1:30, but I'll willing to proceed,
20 because people have been sitting so long. We'll
21 just roll through all of the people sitting here
22 now and take a break after the last person who is
23 lined up to speak has spoken. So we will make a
24 quick change there to allow everyone to speak.

25 SARA FELDMAN: Well, it's very hard to

1 with no assessment of the impact, the EIR
2 also fails to address mitigation. Therefore, we
3 are most curious to find out the answer to our
4 second question, which is this: How do you plan to
5 replace the irreplaceable, after you replaced 1,200
6 acres of coastal hills and beach and the last
7 impact coastal waters within our beaches, when
8 there is nothing left to replace it with?

9 We urge your honest appraisal of what's at
10 stake.

11 JANET BIERNEY: Hi, my name is Janet
12 Bierney. I'm a 25-year resident of San Clemente, a
13 50-year resident of Orange County, so as you can
14 imagine, I have seen a lot of change. I have lived
15 in Orange County since before Mission Viejo was
16 created, Laguna Niguel, many of the cities that are
17 there for everyone to enjoy now.

18 I am opposed to the Foothill-South
19 extension. I don't believe it's going to help us,
20 I think it's going to hinder us. I think we need
21 to please just stop the development and stop the
22 road building and maybe look at alternative
23 sources, alternative ways to do what we need to do
24 in our daily lives. I realize that, I have sat in
25 the traffic, and I understand what some of these

1 people are saying.

2 I'm not a speech writer or -- I haven't
3 prepared anything, so this is -- I don't want to
4 take up any more time, but I just think it's so
5 important that we do not put any roads through this
6 wilderness. I was around when our state attorney
7 general, Bill Lockyer, came to San Clemente and
8 spoke about toll roads. And what he said really
9 was eye-opening to me as well. You know, the toll
10 roads, "toll," there's money that people have to
11 get on and pay. When they keep raising the toll,
12 for one way, I guess it's now 3-, going up to \$4
13 for the 73, and that's going to cost people \$8, \$9,
14 \$10 to go roundtrip. I don't know how you people
15 can afford it.

16 I, for one, am a taxpayer, I resent having
17 the toll road or any type of road like that that's
18 being presented to people, you know, that they are
19 going to pay for it. Well, guess what, not only
20 will it come back into our -- you know, be on our
21 shoulders, our children's shoulders and their
22 children's shoulders. Anyway, I thank you for your
23 time, I don't want to take any more of it. Thank
24 you.

25 MICHAEL BRANTLEY: Hi, I'm Michael Brantley;

1 I live in San Juan Capistrano. I want to thank the
2 organizers of the hearing today for providing us an
3 opportunity to speak. We have been at other
4 functions where we were not allowed to speak; I
5 think that's dead wrong. So I do appreciate this
6 opportunity today, and I also appreciate the
7 flexibility of the staff here who set this up, the
8 flexibility in terms of helping people get to the
9 mike to be heard, the flexibility of adding chairs
10 for the speakers and that sort of thing. They
11 could have been less accommodating and they have
12 been quite accommodating. I appreciate it. Thank
13 you.

14 South Orange County still has open space,
15 space which provides quality of life, space for
16 people to get back in touch with nature, space for
17 wildlife and space which cleans the air rather than
18 pollutes it.

19 Trying to set the people of San Clemente
20 against those with environmental concerns won't
21 work, none of us want your toll road anywhere in
22 South County.

23 Building toll roads or freeways in the open
24 space will divide it and develop it, spoiling it
25 forever. It is much like cutting a light bulb in

1 half; when you finish you've still got your light
2 bulb, it just no longer functions.

3 The plan alternatives merely answer the
4 question in what direction to cut the light bulb.
5 All the alternatives destroy the open space and the
6 quality of life. They are simply not acceptable.
7 Dividing the cities, parks, land conservancies,
8 campgrounds and the open space for a road which the
9 TCA admits will carry fewer cars and cost more than
10 the San Joaquin toll road doesn't make any sense,
11 especially since the San Joaquin toll road is on
12 the verge of bankruptcy.

13 who wants to live, camp, hike or relax next
14 to a toll road or a freeway? Who wants a toll road
15 which carries traffic in the direction most people
16 don't want to go, through areas which are best left
17 undeveloped and unspoiled at an outrageous cost to
18 taxpayers? You can't mitigate against the loss of
19 open space. Once you cut the light bulb, the
20 function is lost forever; forever.

21 Mitigation examples include putting tunnels
22 under the toll road for hikers and sound walls next
23 to a campground. That's mighty of nonsense, not
24 mitigation. Please don't take away South Orange
25 County's quality of life and give us something we

1 don't want, don't need and don't want to pay for.
2 Thank you, but no thank you.

3 ROBERT FRASER: My name is Bob Fraser. I
4 live about 20 miles east of here up in the
5 mountains and I've been there for 50 years.

6 When I first got down in this country, you
7 could see deer in Corona Del Mar, and then they
8 left Corona Del Mar when Jamboree Road went in
9 after the scouts were there. The deer withdrew
10 further and further. And I mention this because
11 mountain lions depend on deer for their survival.
12 So we're down to maybe 10 or 11 mountain lions in
13 this whole mountain range, and they are not going
14 to survive the construction of this freeway, this
15 toll road.

16 I'm opposed to the toll road on many grounds
17 and I adopt the statements of those who have gone
18 before me today in opposition to the toll road. I
19 wonder sometimes why they present the alternatives
20 as alternative routes. There should be one
21 alternative, a toll road; another alternative, a
22 subway; another alternative, a railway; another
23 alternative, a bus. But let's just have one
24 alternative being the toll road and one alternative
25 being no road.

1 our animals need a whole area in which to
2 live. We've reduced the area already to
3 practically nothing and if you allow the build-out
4 of Mission Viejo, you're going to terminate the
5 lives of the rest of the animals. And believe me,
6 the build-out of Mission Viejo is going cheek by
7 jowl with the advance of the toll road situation;
8 they are interdependent. Thank you.

9 MARGARET MCCLEAN: Good afternoon. My name
10 is Margaret McClean and I'm a resident of San Juan
11 Capistrano. I've lived in South Orange County
12 since 1984, personally, and my family has lived
13 here since 1978.

14 When my mother and father moved here, the
15 lake was not there, the recreation park was not
16 there. It was once a rambling road with very few
17 homes. Like many things in this county, it has
18 changed dramatically. The 5 Freeway, which I take
19 frequently almost every day since I own my own
20 business and have for 18 years, has been so
21 congested that you are at a standstill.

22 The term "freeway" definitely does not blend
23 with rush hour; you cannot rush anywhere on the 5
24 Freeway. The projection in a recent report states
25 that, in 2005, 15.9 percent of the daily traffic on

1 the I Freeway between the county line and the El
2 Toro Y will experience increased congestion, in
3 addition to what we're currently seeing.

4 Traffic south of Avenida Pico in San
5 Clemente will be congested eight hours a day; four
6 hours in the morning and four hours in the evening.
7 In the evening hours, peak traffic from San Juan
8 Capistrano will be congested an additional three
9 hours, not to mention the dangers of the Ortega
10 Highway.

11 I was at a recent city council meeting in
12 San Juan Capistrano, it was very interesting. I'm
13 not sure that you are aware of the dangers that are
14 there of people that are driving on those
15 particular highways and that there is very little
16 control of the trucks. Why? Because if they go
17 through the Gratoma [phonetic] area, they are
18 stopped, they are checked. That is why they are
19 now taking Ortega.

20 I am very concerned about the environment in
21 which I live. I am very blessed to I live in a
22 very small little place that looks at a lovely
23 little lake, and it's not lake Mission Viejo, it's
24 in San Juan. It's a humble community and I love it
25 there. I love the environment and I love the walks

1 as well.

2 But I want to spend time with my family. I
3 believed in not going forward with the airport, and
4 we are going to have a beautiful park there that we
5 can enjoy. But I don't see how anyone can enjoy
6 the quality of life if they are stuck on a freeway
7 for as many hours as we currently are, and how in
8 the world are we going to move forward?

9 I applaud the toll road company, maybe not
10 as the perfect solution, but who here has brought
11 to us -- of all the hundreds of people that have
12 spoken today, what is your plan? Where have you
13 presented something that you can move forward on?
14 You know the heat as well as we do, unless you are
15 at the beach all day or, as the gentleman scoffed
16 at someone, be at your Internet.

17 Many of us do have to work, and I have to
18 work. I've been the single head of household in my
19 lifetime; it is not an option for me. I have to
20 take the roads and, if I need to get to a place or
21 an appointment on time, I need to make sure that I
22 have the most accessible route.

23 would I prefer to have a regular way in
24 which I wouldn't have to pay for it? Of course.
25 Come up with it. But until you have a positive

1 resolution to a growing problem, you can't just sit
2 here and say no this and no that. I am -- well,
3 you can and you have. I also want to spend time
4 with my family. I am not spending time with my
5 family in my car for four to eight hours a day.
6 Thank you.

7 CELIA KUTCHER: Good afternoon, I'm Celia
8 Kutcher. I am the vice president of the Orange
9 County chapter of the California Native Plant
10 Society. I'm here to say today that our chapter,
11 while not specifically opposing the toll road, is
12 very interested in preserving the San Mateo
13 watershed, which on this map it actually goes way
14 off over here. But on this map, runs from about
15 here, all the way down to the Donna O'Neill Land
16 Conservancy, all the way down, just inside the
17 county line to the beach.

18 San Mateo watershed, as several other people
19 have said, is the last natural watershed in
20 southern California south of Ventura. It's an
21 inestimable treasure. Someone said something about
22 Trestles being the Yosemite of surfing and you
23 wouldn't put a freeway through Yosemite. San Mateo
24 watershed is that important to our natural life
25 here in south county and to California. It's a

1 global ecological hot spot, this area here, that is
2 undeveloped; it includes the San Mateo watershed in
3 Rancho Mission Viejo. We wish it to be preserved.
4 We'll have an incalculable loss if this area is
5 developed and it will destroy the integrity of the
6 San Mateo watershed. Thank you.

7 LINDA HOMSCHEID: Hello I'm Linda Homscheid.
8 I'm a 35-year resident of San Clemente. Thank you
9 for extending this session so that we didn't have
10 to take the break.

11 When my husband and I moved here five years
12 ago, we moved here to get away from the madness of
13 the overdevelopment and overpopulation of life in
14 New York. Obviously we were misinformed. Since
15 then, I've been even more an environmental
16 activist. I am a member of the Friends of the
17 Foothills. I have walked the community and I have
18 talked, I'm one of those people to stop the toll
19 road.

20 I have sought refuge in the Donna O'Neill
21 Land Conservancy. I've gone on hikes through
22 there, I've gone stargazing there, because it's the
23 only place in the neighborhood where you can do
24 that.

25 I walk regularly on the ridge line trail,

1 which is on top of the Rancho San Clemente
2 development where we live, off of Pico, I might
3 add. We call it the business park trail because
4 all you can see is business parks from it now. You
5 kind of have to have blinders on and not look at
6 Talega and not look this way, but you can look out
7 to the ocean and get some peace and quiet there,
8 except if the toll road is built then you'll see
9 this flying overpass coming from it.

10 And as far as Trestles, even though I'm not
11 a surfer, I do hike Trestles, I walk that half a
12 mile that takes you from the parking lot to the
13 beach. And when you pass underneath the 5, the
14 cars are roaring, when you finally get further away
15 from it, it's like you're in paradise there.
16 However, when you turn around, you see nothing
17 because right now the 5 is on the lower level. If
18 they were to build the toll road, you would see
19 this flying overpass happening and it would ruin
20 the entire peaceful effect.

21 One of the speakers really touched a nerve
22 with me when, not because he said he had a master's
23 in open space planning and there was enough open
24 space in Orange County, but because he said that a
25 lot of us who were opposed to the toll road were

1 building our arguments from emotions, not science,
2 not logic, but emotion. Well, I don't consider
3 myself to be a very emotional person, but I do
4 consider myself to have common sense and a very
5 well-honed intuition, and my intuition is telling
6 me that enough is enough and this is the last
7 bastion of wonderful space to be saved and we must
8 do everything in our power to save it.

9 My intuition is telling me that if this is
10 the one last clean creek in South Orange County,
11 then we must save it, there can't be a toll road.
12 My intuition is telling me that if the owls and the
13 trees are part of the eco system that would be
14 destroyed if this toll road is built, then we will
15 not build the toll road. My intuition tells me
16 that if we want a little piece of heaven for
17 ourselves or our children, a little piece of rural
18 heaven in this madness that is South Orange County
19 of overpopulation and overdevelopment, then there
20 is no toll road. And a sure issue is we don't need
21 14,000 more homes that we know the toll road will
22 bring.

23 I just wanted to add, on a final note, about
24 united we stand, divided we fall. I felt very much
25 for the woman who spoke who lives off of Pico. I

1 too will be greatly affected if this alignment
2 that's proposed off of Pico is to happen. However,
3 I believe that that is a red herring. I believe
4 that it has been proposed to divide us. The goal
5 is no toll road; united we stand. Thank you.

6 RUSSELL SEDA: Hi, I'm Russell Seda; that
7 was my wife. One thing I wanted to mention that
8 has not been pointed out at all. A couple of weeks
9 ago I was reading the L.A. Times and on the front
10 page they were talking about Chevron/Texaco opening
11 a liquid natural gas facility right off the coast
12 of Camp Pendleton. That would be at the end of the
13 toll road, maybe about a mile or two away. So
14 that's something to think about also. So when that
15 goes up in smoke or blows up, we can get on the
16 toll road and go inland.

17 But I've worked in finance for many years
18 and, you know, you try to see all these situations
19 from many sides. There's an economic side, a
20 political side, and I just think I've heard
21 recently that the ranch might be for sale. If a
22 way could be found to buy the ranch with public
23 money, however it was financed, there would be no
24 need for a toll road, the situation would just fall
25 away. And that really, to me, is the solution, is

1 somehow to buy the ranch -- that has to be on the
2 table -- and the toll road will go a way. There
3 won't be a need for more roads and more
4 development.

5 I think Mr. Moiso of the Rancho Mission
6 Viejo Company really needs to get a change of
7 consciousness and he needs to put the ranch up for
8 sale, have the state buy it, and there will be no
9 need for the road. Thanks a lot.

10 VALERIE JOHNSON: Hi, my name is Valerie
11 Johnson; I live in Laguna Hills. I'm a teacher at
12 Aliso Niguel High School and I've lived in Orange
13 County for the past 30 years, approximately. I'm a
14 surfer, I spend whatever time I can surfing at San
15 Onofre State Beach and Trestles, and I am so happy
16 to see that so many people here have spent their
17 Saturday coming out to defend their quality of
18 life.

19 There's a lot more to quality of life than
20 economics, people, and I have heard some people
21 give the economic argument why they think we should
22 have a toll road. Well, in case you didn't know
23 it, if you're not involved in the world of surfing,
24 the world of surfing brings many economic
25 advantages to us here in Orange County. And

1 sometimes people who aren't surfers tend to think
2 that every beach is alike, if you've seen one wave,
3 you've seen them all. That, most emphatically, is
4 untrue. If you're not familiar with this, let me
5 just tell you that almost all of Orange County is
6 sand bottom beach break. All of Huntington, all of
7 Newport, all of Seal Beach is sand bottom beach
8 break. The waves basically come in, the sand
9 bottom is unstable and they just dump; you cannot
10 get a good ride off of them.

11 For people that really are into surfing,
12 whether expert or beginner, they want a wave that
13 has rock on the bottom that peels so that they can
14 get a nice ride. People come from all over the
15 world to surf at Trestles. Every time I have been
16 there, I have seen people from Japan, from Europe,
17 from Brazil that come here. And guess where their
18 dollars come, to our local community. So when
19 people talk about economic issues, you can't
20 discount the economic advantages that surfing
21 brings to our community.

22 I heard some people here talk about traffic
23 issues. But, to me, it's just a complete fallacy
24 to think that building this toll road will do
25 anything to improve the traffic as anything more

1 than just a temporary fix, like putting a Band-Aid
2 on a gaping wound. Because all that's going to
3 happen is that 14,000 new homes will be built.
4 Every single place that a road has been built, it
5 brings developers, they follow along like flies.
6 You have more homes built and, guess what, the
7 people that live there get on the road, so pretty
8 soon the toll road is clogged and then they are
9 talking about building another one.

10 The only way that change is really going to
11 happen and make our quality of life sustainable
12 here in southern California is to start thinking
13 outside the box. The conventional wisdom is that
14 you'll never get Southern Californians out of their
15 cars, and I'll admit a great attachment to mine,
16 it's a convenience, but, you know what, instead of
17 wasting money on these toll roads -- which, by the
18 way, are losing money; the San Joaquin toll road is
19 close to being bankrupt and it goes to a place that
20 people actually want to drive, from South County to
21 Costa Mesa.

22 The pattern, the direction this toll road is
23 taking, I can't why that's being considered; that's
24 not a heavy traffic pattern. If you want to build
25 more roads, please do something to help people who

1 live in the Inland Empire get to Orange County
2 where they work, instead of doing this.

3 But I think there needs to be a real
4 improvement in the light rail access. My partner
5 is very savvy about the environment and her family
6 lives in Riverside County. We would use both the
7 rail alternatives to get together with her family
8 and have them visit us if it were possible. But
9 you know what, the rail service between Riverside
10 County and Orange County is a joke. There are
11 hardly any trains running on the weekends or later
12 in the evening.

13 If you want to get Southern Californians out
14 of their cars, you have to make it convenient for
15 them, you have to give them more service and at
16 different times. And that is what we should be
17 spending our transportation dollars on, not on toll
18 roads that simply are going to bring more, you
19 know, greed and development and sprawl and ruin the
20 quality of life that we have here. Thank you.

21 GREG SUMTER: My name is Greg Sumter, born
22 and bred in South Orange County. And we've seen
23 way too much eager development by the hands of
24 greed. We have no right to take domain over our
25 mother earth, but we are no more significant than a

1 gnatcatcher, the pocket mouse, the steelhead trout
2 or any other species that dwells in this
3 undeveloped habitat.

4 We must use our efforts in putting forth
5 towards mass transit and a public corridor in this
6 area, which we are in dire need of. So please take
7 these things under consideration. Listen to us,
8 the children of earth, for we have spoken, and
9 consider the children of the earth and those
10 children's children in generations to come in
11 making decisions. Thank you. Peace.

12 J. MICHAEL HARTY: Thank all of you for
13 coming to this first session. And for those of you
14 who have not been here during the morning, what we
15 are going to do is take a break now and then we
16 will reopen the opportunities to comment. And if
17 there is enough demand for it, we can also give the
18 brief presentation that TCA offered, but we really
19 wanted to make the most of the time, make all of it
20 available for your comments.

21 So it's about five after 2:00 right now. We
22 start again at 2:30. Will that work for you?
23 Let's start again with the comment session at 2:30.
24 And hang around because we'll have the rest of the
25 afternoon, if we need to, to get your comments on

1 this.

2 In the meantime, please take the opportunity
3 to talk to the folks over here at the various
4 stations to get any information that you'd like to
5 get.

6 (Recess.)

7 (The following portion of the
8 transcript was reported by
9 Carmen Hunter.)

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1 J. MICHAEL HARTY: I want to thank all of you
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15 talk to the folks over here at the various stations to
16 get any information that you'd like to get.

17 (whereupon, at the hour of 2:04 p.m.,
18 a recess was taken, the proceedings
19 to be resumed at 2:30 p.m.)
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25

1 RANCHO SANTA MARGARITA, CALIFORNIA;

2 SATURDAY, JUNE 19, 2004

3 2:36 P.M.

4 ***

5
6 J. MICHAEL HARTY: All right. why don't we get
7 started since it is a Saturday afternoon for most of
8 you.

9 My name is Mike Harty and I want to welcome you
10 to this second session of the public hearing on the
11 draft environmental impact statement and subsequent
12 environmental impact report for the Foothill
13 Transportation Corridor South project.

14 I had a whole list of announcements and
15 instructions and explanations this morning for the full
16 house that we had. I don't want to take all of your
17 time this afternoon with those.

18 I did want to let you know that there was a
19 20-minute presentation this morning as well that TCA
20 offered. And if there is interest in having that again,
21 we will gladly present that, but I just need to know.

22 Our assumption has been, though, that most of
23 you came to be able to provide your input to this
24 process. There are the various technical stations where
25 you can find someone to talk about specific questions or

1 thoughts that you have about various topics.

2 But what I would propose that we do is for
3 those of you who want to provide your comments orally on
4 the record in this forum rather than some other way,
5 that we just go ahead and do that.

6 Do all of you sitting there know that there are
7 other ways you can provide comments today? You do know
8 that? Okay.

9 And it was a little more intimidating this
10 morning, I think, when the room was full. And there is
11 another court reporter if you just want to talk to
12 someone on your own. But I will just let you know how
13 this works.

14 You have up to five minutes to make your
15 comments. We have two court reporters here who are
16 capturing those comments and they've just been fed and
17 rested and so they'll get everything. Their request to
18 you is that you speak clearly and slowly enough that
19 they can keep up with you.

20 They're trained professionals and they're good
21 at that, but if it starts to get too fast then I may get
22 up and ask you to just slow down a little bit so that
23 they can keep up with you.

24 I have a timer here that will let me know and
25 let you know when you are approaching your five-minute

1 limit.

2 Many of the people this morning were able to
3 get on the record and say what they felt like they
4 wanted to say in less than five minutes, but you have up
5 to five minutes is the consistent way we've approached
6 this.

7 And my only request to everyone has been, and
8 it will be less relevant this afternoon, is that in
9 order for people to be able to provide their point of
10 view, whatever it is, we need cooperation from everyone.
11 And so that means even if you don't happen to agree with
12 folks, giving them the same space that you'd like to be
13 able to get on the record and participate in this part
14 of the process.

15 The one thing I do want to reiterate again for
16 those of you who weren't this morning that while theres
17 are eight -- actually, a total of ten, including the two
18 no action alternative being studied, no preferable
19 alternative has been identified in the draft. So that
20 decision is yet to be made. And it will not be made
21 until all of the public record is reviewed including any
22 comments that you decide to submit either today or up
23 until August 6th in writing. Okay?

24 So I understand that we've got our list going
25 and what I'd like to do is just have our first speaker.

1 ART NAVARRO: Good afternoon. My name is Art
2 Navarro, and I'm here as a private citizen, a resident
3 of South Orange County for the last 15 years.

4 And folks, I can tell you that 15 years in the
5 times that I've been here, this county has changed. And
6 if anything has changed dramatically, it's the rapid
7 growth that we have experienced over the years. When I
8 first arrived in Orange County, the space that we're
9 sitting in and standing in right now was open. This
10 high school wasn't here.

11 Many of the homes and apartments and the
12 industrial parks and the shopping centers that are here
13 now weren't here 15 years ago. And 15 years ago we
14 could, I guess, stand proudly and say we didn't have a
15 traffic issue. We didn't have congestion problems.

16 But one of the facts that stands out in the
17 last 15 years, at least for me, is that urban sprawl and
18 growth expands like a tidal wave, and it's been
19 unstoppable. The buildings and the residents that are
20 here today, this afternoon, are living proof of that.

21 Now, I've traveled around the country and I've
22 lived in various parts of the country in other cities
23 and other counties and other communities, and I've seen
24 cases where we have not planned. And although this
25 extension may not be perfect, it has been in the works

1 for almost 25 to 30 years.

2 I know it's not perfect. In some cases it's
3 probably just a Band-Aid. But I've seen cases where
4 there was no planning and there was no vision and people
5 and governments and citizens waited for the last
6 possible moment to do anything. And by then it was too
7 late, way too late.

8 I'd like to see this extension completed. It's
9 the last leg of a grand plan. I will repeat. It is not
10 perfect, but the alternative and the consequences to do
11 more irreparable harm than anything else that I have
12 seen.

13 I'm not pro-growth. In fact, I'm probably more
14 pro-environment. But unless government and our
15 leadership and citizens can tell me and guarantee me 100
16 percent that from this day on there will be no more
17 homes, no more roadways, no more shopping centers, no
18 more industrial parks, we need this road. It's a plan.
19 It's a vision. And that's something that most
20 communities usually don't have.

21 we love cars in Southern California and in
22 South Orange County. We're the car capitol of the
23 world. If we weren't, we'd be driving -- well, we'd be
24 riding bikes and we'd be on light rail. But I don't
25 think we're going to see that in my lifetime or your

1 lifetime.

2 So let's do what is, I think, is in the best
3 interest of everyone. Let's finish the road because I
4 can guarantee you we will pay for it now or if we don't
5 do anything, we'll pay for it later. Guaranteed.

6 Thank you.

7 BOB SCHRAEDER: Good afternoon. My name is Bob
8 Schraeder, and I'm a long-time resident of
9 Orange County.

10 I do business in south county, San Diego County
11 and L.A. County, so I drive around a lot. I also have a
12 lot of relatives who live in San Clemente. My mother
13 lives there, my aunts live there, so I drive down on
14 weekends a lot to San Clemente.

15 And it doesn't take a lot to realize that
16 traffic congestion has been growing. And I think it's
17 going to continue to grow regardless if development goes
18 forward or not.

19 I looked at the EIR. I looked at the executive
20 summary because I'm a local citizen. I'm involved in
21 the traffic and I care, and I looked at the different
22 alternatives.

23 And the amazing thing to me is that I just got
24 louder. The amazing thing to me is that they say
25 traffic will grow by 60 percent by the year 2025, and

1 that that will -- that will go to eight hours of
2 gridlock on I-5 between San Juan Capistrano and
3 San Clemente. And all that is not due to development.
4 It's a regional transportation issue.

5 We have trucks coming up now from Mexico with
6 the North American trade agreement coming up to the
7 ports in L.A., and the extension of the 241 is an
8 alternative to that. And for those who live in
9 San Clemente and San Juan Capistrano, it is a huge win
10 for quality of life because it will take the traffic off
11 the roads.

12 So having looked at the various alternatives,
13 and they got the map over there, I looked at the I-5
14 widening. I-5 widening would solve the problems the
15 best, but the state has no money. Looks like it's going
16 to cost over a billion dollars, take 700 homes, 300
17 businesses. So it's not an option.

18 I don't think the no build option is an option
19 either because traffic will continue to grow, and it
20 will impact the quality of life. I don't think the
21 central corridor is a valid option because, again, it
22 will take out hundreds of homes and it will split
23 San Clemente.

24 I think the only viable option are some -- are
25 the three southerly or easterly alternatives. I think

1 they were the FECM, the FECW, and maybe the A7 because
2 that will bypass traffic, take it down south to
3 Cristianitos and preserve the quality of life there, and
4 it will increase regional mobility.

5 And congestion is going to continue to grow so
6 I think something needs to be done. As the previous
7 speaker said, this is a plan and we need to do something
8 if we do want to keep the quality of life we have.

9 Thank you.

10 SUSAN WITHROW: Good afternoon. My name is
11 Susan Withrow, and I'm a 24-year resident in
12 Mission Viejo.

13 As a former 12-year city council member and
14 mayor, I dedicated a great deal of time and effort as an
15 eight-year member of the Transportation Corridor Agency
16 Board of Directors and a six-year member of the
17 Orange County Transportation Authority Board of
18 Directors seeking regional transportation solutions for
19 our county. However, today I'm here as a concerned
20 commuter to speak in support of the Foothill-South
21 corridor.

22 For the past 24 years, I have watched an
23 enormous growth occur in Orange County and particularly
24 south Orange County. I have seen Mission Viejo go from
25 just over 60,000 population to 100,000.

1 In this time frame, I have witnessed the
2 creation of the communities of Rancho Santa Margarita,
3 Las Flores, Ladera Ranch, Foothill Ranch, Talega and
4 San Clemente and Aliso Viejo to the west.

5 Orange County's population has grown from under
6 one million and a half to just over three million people
7 in the last two decades. According to recent
8 demographic studies, this trend will continue due in
9 large part to the county's healthy economic projections
10 in terms of jobs and housing growth.

11 With all this success comes incredible
12 transportation and circulation challenges that require
13 thoughtful and responsible solutions. To that end, the
14 Foothill-South draft EIS and supplemental EIR represent
15 a comprehensive and collaborative process of which we
16 can all be proud of.

17 Five federal resource agencies, Camp Pendelton
18 Marine Corp. and the California Department of
19 Transportation were members of the planning team that
20 provided important input into this work product, and I'd
21 like to commend the transportation corridor agencies for
22 enhancing one of the most all-inclusive transportation
23 study performed in the county's history.

24 For those of us who travel daily on the
25 county's freeways, toll roads and arterials, we

1 experience increasing traffic congestion and lengthy
2 delays to our commute and are convinced that
3 construction of Foothill-South and completion of the
4 toll road system, in conjunction with build-out of the
5 county's master plan of arterial highways, is essential
6 for our county's continued economic and environmental
7 well-being.

8 The draft EIS and supplemental EIR detail the
9 grim traffic gridlock realities without this project
10 while ensuring protection of the sensitive environmental
11 habitat. The Transportation Corridor Agency has
12 demonstrated over the past several years their
13 commitment and their success to preserving the
14 endangered habitat and species along existing corridors,
15 and I have every confidence that they will continue
16 their dedicated environmental stewardship with
17 Foothill-South.

18 In closing, after 13 years of comprehensive
19 analysis at a cost of \$17 million, I believe this
20 environmental documentation with its 18 technical
21 reports clearly identifies the need for Foothill-South
22 while demonstrating that the environment can be
23 protected.

24 This project is the needed result of thoughtful
25 and responsible planning, and I endorse the construction

1 of Foothill-South as an intricate piece of
2 Orange County's transportation solutions. I trust the
3 decision makers to select the most beneficial alignment,
4 but I offer my support for one that connects directly
5 to Interstate 5.

6 Thank you for the opportunity to comment.

7 MARY AILEEN MATHEIS: Good afternoon. I'm Mary
8 Aileen Matheis of Irvine, California. I have been a
9 resident of Orange County since 1971 and of Irvine since
10 1978.

11 I'm currently vice president of the Irvine
12 Ranch Water District. And the reason I mention that
13 because as a member of a water agency, we are extremely
14 interested in the environment and the purity of our
15 water and the flow of our streams and in the environment
16 which contributes to them.

17 I am speaking in support of the completion of
18 the Foothill-South tollway. I have been a supporter of
19 the tollways since 1986, and I have seen the development
20 of them. I know the controversy that surround them, but
21 they have become one of the essential traffic routes for
22 those of us who live in this area.

23 During the time that I have lived in
24 Orange County and made many trips south to San Diego, it
25 has become -- I have watched the traffic increase as the

1 population have increased. We are not here to say that
2 we should stop growth or whether we should or we should
3 not stop growth.

4 The greatest growth in our county is our own
5 children and our own children having children. So the
6 fact is, the people are here and we have to accommodate
7 them.

8 As member of the Irvine Ranch Water District, I
9 have consistently supported our environmental
10 developments. We have created and reconstructed a
11 wetlands called the San Joaquin Marsh. In that marsh we
12 have been able to divert the flow of water from the
13 San Diego Creek to the ponds, reducing nitrogen and
14 phosphates as they flow back into the creek.

15 We have also developed a -- to our subsidiary
16 or one of our subsidy corporations, the Shade Tree
17 Partnership, which is an organization that's developed
18 to increasing and the planting of trees throughout the
19 area, trees that extend oxygen into the atmosphere.

20 We have also -- and now are currently in the
21 final planning of the national treatment system, a
22 treatment system that will treat urban runoff through
23 the similar constructed wetlands which will allow water
24 flowing down into the -- into Newport bay to be rid of
25 all of its contaminants or most of the contaminants.

1 I've looked at the work that has been done by
2 TCA. 2100 acres of sensitive wetlands and coastal scrub
3 and oak woodland habitat has been restored and preserved
4 by TCA. TCA has spent more than five years and
5 \$17 million in analyzing the environment impacts for the
6 preparation of Foothill-South.

7 Every spring TCA conducts spring tours inviting
8 the public to tour TCA mitigation sites, including upper
9 Chiquita, Siphon Reservoir, Bonita Creek Wetlands, the
10 TCA biologists and restoration ecologists.

11 There are 1100 crossings throughout the toll
12 system which will allow the animals to safely pass under
13 the toll road. 100 percent of the water runoff on
14 Foothill-South will be captured and treated and not one
15 drop of water that hits the road will enter the creeks
16 or the ocean. TCA will provide environmental mitigation
17 permanently preserving and restoring the natural
18 habitat.

19 The choice for us today is to improve the
20 traffic flow to south county into San Diego county. And
21 that choice rests with the completion of an excellent
22 toll road system that has shown its worth throughout the
23 county and in the improvement and environmental quality.

24 Thank you.

25 GAIL HERSON: Good afternoon. My name is Gail

1 Herson. I'm a homeowner and resident of Dana Point for
2 many years, Dana Point, California. Thank you for
3 giving me the opportunity to share my views and desires
4 about the proposed toll road.

5 I'm a retired real estate developer, so I
6 absolutely know the value of balanced real estate
7 development and the transportation systems that are
8 necessary to support that.

9 However, I'm also a human being who lives on
10 this planet and shares this planet with other animals
11 and who is very mindful that balance is necessary and
12 that we have a very important role in stewarding the
13 nature that is around us.

14 And for that reason, I'm completely opposed to
15 the Foothill-South toll road. I'm opposed to the
16 creation of this toll road for many reasons. I'm
17 opposed to FECM, FECW, and the A7C FECM alternatives,
18 all which go through the Donna O'Neil Land Conservancy
19 and the San Onofre State Beach. The impacts which the
20 EIR has identified with respect to these resources
21 outweigh any project benefits.

22 I am a frequent visitor to the Donna O'Neil
23 Land Conservancy. These are one of the few remaining
24 open spaces in the entire county where I or my family
25 can travel to and have some release from the stress of

1 urban living.

2 I think when all of us drove up to this
3 beautiful place where we are here today, the beauty is
4 because there's open space all around us. The relief
5 that we feel, getting away from the intense congestion
6 of the city is palpable, and we have a responsibility to
7 maintain open space.

8 It is inevitable that the Foothill
9 transportation corridor will create a tremendous amount
10 of development, more intense congestion, more stress,
11 along with all the environmental effects which are quite
12 negative. So for that reason I do oppose the creation
13 of this road.

14 The TCA's officially preferred alignment for
15 the toll road, the CP alignment, goes through the
16 San Mateo Creek Watershed and the San Onofre Beach State
17 Park and goes through undeveloped open space. There
18 must be -- if we have to have a toll road, it needs to
19 be in an area which will not have the tremendously
20 environmentally damaging routes that have been chosen.

21 Even the San Joaquin tollway that exists now is
22 tremendously underutilized. So I really think that this
23 toll road is not necessary.

24 The TCA makes claims that they're able to
25 mitigate the environmental impact of construction

1 operation of a highway in a sensitive coastal wilderness
2 area next to a free-flowing stream that lasts,
3 unobstructive free-flowing stream. However, this is not
4 the case. The evidence is overwhelming that the toll
5 road will induce development, increase traffic locally
6 and on the I-5, and worsen air pollution.

7 The environmental arguments and claims of
8 mitigation are deeply flawed. Among the environmental
9 impacts of the toll road that cannot be mitigated to a
10 significant degree include polluted toxic runoff from
11 the toll road which will flow into the San Mateo Creek
12 and directly into Trestle's surf breaks. The natural
13 sedimentation flows of the San Mateo Creek will be
14 altered significantly both during the highway's
15 construction and operation.

16 Let's not forget the human aspect of this. We
17 will all lose our very special sense of place, our
18 connection with the earth that God has given us when we
19 lose and, really, ruin the peace and quiet of San Onofre
20 State Beach Park.

21 The habitat of seven endangered and threatened
22 species will be covered in concrete or graded by the
23 highway construction. This is an absolute travesty.

24 The TCA's main mitigation device, wildlife
25 underpasses, do little to help impact the endangered

1 species in the area. Endangered animals cannot be
2 relocated effectively. The overwhelming majority of
3 these will die.

4 So for these reasons, I do suggest very
5 strongly, I ask and I insist, really, that the
6 Foothill-South toll road not be created, and I thank you
7 so much for your time and for the opportunity to speak
8 with you.

9 Thank you.

10 HON YOW: My name is Hon Yow. I have lived in
11 Orange County for the past 19 years. I am speaking in
12 support of completing this Foothill-South by building
13 any of the three far east alignments. I believe as long
14 as we have children and grandchildren, we are the
15 traffic generator, we are the cause of this growth and
16 the traffic problem that comes with it.

17 It would be hypocritical for me not to support
18 building a new road and say, "Don't do it on my
19 backyard."

20 Thank you.

21 GREG HEFTER: Hi, my name is Greg Hefter. I'm
22 a resident of Laguna Niguel. I'm here to support -- to
23 voice my support for the extension of the Foothill toll
24 roads. It's no secret traffic in and through the area
25 is bad right now. And with the growth -- and it's

1 happening right now. It's getting worse every year.

2 To me, providing a more south corridor
3 alternative to I-5 makes the most sense. The three
4 alternatives, three easterly alternative, the two far
5 east corridors or the far east option for Alignment 7
6 provide the greatest amount of bypass to I-5 and seem to
7 provide relief -- a good alternative to the I-5.

8 These three alternatives, they don't take any
9 homes or businesses. They're on the lower end of the
10 price, they're more inexpensive, I guess, than some of
11 the other ones. And also, like I said, provide the
12 greatest amount of relief to I-5.

13 Thanks.

14 ARLIS CHILDS: Hi, my name is Arlis Childs.
15 I've been living in south county for about the last ten
16 years, and I've lived in Orange County for over 20
17 years.

18 My family and I, we've got friends in north
19 San Diego County. And over the years when we've been
20 driving down to visit them, we've noticed just a
21 tremendous increase in the amount of traffic on the I-5.
22 It's gotten so bad sometimes where, you know, it can
23 take three, four hours just to go see them.

24 In fact, there's been more than once where
25 we've actually gotten off the freeway turned around and

1 went home, and just called them on the phone and said
2 "Hey, you know, we're not coming down today for the
3 barbecue" or whatever.

4 As a long-time resident of Orange County, I,
5 like many of you, have seen lots and lots of development
6 and lots and lots -- and lots and lots of traffic room.
7 It's just a fact of life. There's nothing we can do
8 about it. We can't get people to leave the county,
9 obviously. And the county is going to continue to grow.
10 We need something to alleviate traffic on the 5. It's
11 the major artery through Orange County basically.

12 For this purpose, I support the three far east
13 alternatives. I think they're the alternatives that
14 make the most sense. It takes the traffic further south
15 into San Diego County, and it also will keep from
16 harming families and businesses, you know, and families
17 like us. And for that purpose, I think that the three
18 far east alternatives are the best ones to go with.

19 Thank you.

20 KELSEY MC DUFFEE: Hi, my name is Kelsey
21 McDuffee. I've lived in Irvine for the last five years.

22 I'd like to start by saying that I am 100
23 percent, absolutely, completely against the toll road.
24 And this morning I graduated magna cum laude from
25 U.C. Irvine with a bachelor's degree (inaudible)

1 environmental science. And this issue is so important
2 to me that I came directly here right from my graduation
3 ceremony.

4 Thank you.

5 As stated in the overview of the DAS, SEIR, the
6 purpose of the Foothill-South is: "To provide
7 improvements to the transportation infrastructure system
8 that would help alleviate future traffic congestion on
9 the I-5."

10 Now, I don't believe that building a road
11 through undeveloped land is going to alleviate traffic
12 because they're just going to build there and more
13 people are going to come, and that will be more traffic.
14 And it's just -- I don't believe that.

15 So the Foothill-South will not alleviate
16 traffic. It will open up the remaining space for
17 development. There will be more traffic. There will be
18 more people. There will be more cars. There will be
19 less clean water, more noise, more light pollution.
20 There will be less animals. There will be -- it's just
21 bad.

22 So this is not what we want for Orange County.
23 I do not support any alignment of the toll road that
24 cuts through San Onofre State Park or the Donna O'Neil
25 Land Conservancy.

1 If this road can be built through the Donna
2 O'Neil Land Conservancy, then there's no such thing as
3 mitigation because that was put in place as mitigation
4 for another development. So, okay, you mitigate that
5 and then we build something through that mitigation and
6 then we mitigate some more. Eventually, there's nothing
7 more to mitigate. So if we build through that, there's
8 no such thing as mitigation. I just don't believe that.

9 And finally, I'd like to say that the way to
10 alleviate traffic, which will at the same time protect
11 open space is to improve mass transportation. Yes,
12 people have to get from here to there and they want to
13 get there when they want to get there. They're not
14 willing to say, "All right. There's going to be
15 traffic. Let's go a little bit later."

16 So even if we build the toll road, 20 years
17 down the line there's going to be -- the toll road's
18 going to be jammed, and we're going to have to build
19 another one. So eventually, there's not going to be
20 anyplace left to build.

21 We need to figure out a way to get people here
22 to there that's more efficient than just driving their
23 own car. And the way to do that is to take the federal
24 money that's been agreed for the toll road and use it to
25 build mass transportation.

1 Increase bus schedules, bus routes, build light
2 rail, do something. But you have to make it possible
3 for people to take mass transportation. You have to
4 make it easy for them, otherwise they're not going to do
5 it. And that's what we need to do. So we need to think
6 further down the line than 20 years from now.

7 Thank you.

8 JOHN STAFF: Thank you. My name is John Staff.
9 I'm here as an advocate to wildlife for South
10 Orange County.

11 I've been a resident of Mission Viejo, Lake
12 Forest, Rancho Santa Margarita, and Trabucco Canyon
13 since 1983. And without the toll road, Rancho Santa
14 Margarita would be but a blimp of where it is now.

15 And the O'Neil family, for those of you who
16 don't know -- I'm a member of the Donna O'Neil Land
17 Conservancy, the Irvine Ranch Nature Conservancy, the
18 Laguna Coast Wilderness Conservancy, the Sierra Club.

19 I have seen things riding under this toll road
20 that most of you have never seen or will never see. The
21 mitigation they're talking about does not work. The
22 drainage they talk about dumps right into the creeks.
23 The animals do not use all of the undercrossing. The
24 deer and coyote are hit once a month, twice a month,
25 four times a month by cars on the toll road.

1 We don't need this. The O'Neil family who gave
2 the Donna O'Neil Land Conservancy in exchange for
3 developing most of Rancho Santa Margarita and
4 Las Flores. Most of you probably don't know that.

5 You put the toll road in extending down to the
6 5 Freeway. Guess what? The Rancho Mission Viejo
7 Company gets approval for 14,000 homes. The Rancho
8 Mission Viejo company is owned by the O'Neil family.
9 How much money is enough money for them. Okay?

10 This is why they say there's going to be
11 congestion in 25 years. It's going to come from the
12 14,000, 17,000, 20,000 homes that are released to be
13 constructed when the toll road is built.

14 You stop the toll road, you'll stop the
15 construction of those houses. Okay? You stop the
16 construction of the houses, we'll have mountain lion.
17 we'll have bobcat. we'll have deer. we'll have
18 bunnies. we'll have squirrels. we'll have snakes,
19 lizards, all the things that make it fun to live through
20 this canyon.

21 So don't let the developers fool you. The
22 mitigation measures they talk about are mandated by
23 state law. Most of them don't work. The pollution and
24 runoff from the streets go right into our creeks. They
25 go right down to San Onofre. They go right down to

1 Doheny Beach. These are some of the most polluted
2 beaches now in Southern California. Even a clip scene,
3 Santa Monica Bay.

4 So I'm totally against any of the extension to
5 the toll road. Thanks. And please save the quality of
6 water. Save the wildlife. Save what this county is
7 about.

8 BOB MC DERMOTT: Hello. My name is Bob
9 McDermott, and I'm a resident of San Clemente.

10 I heard recently that one of the reasons
11 Foothill-South shouldn't be built is because of an
12 endangered fish. Well, I think that's just a red
13 herring.

14 What the environmentalists really want is to go
15 back to the days of rolling hills with fruit trees and
16 sheep and cattle grazing. Well, guess what, folks? So
17 would I, but that isn't reality.

18 Orange County is no longer a rural community,
19 but an urban one. What are you going to do? Tear down
20 homes and downsize the population of Orange County? And
21 who's going to leave and who's going to stay and who's
22 going to make that awesome power to decide? And what
23 arrogance to suggest that "Now that I have arrived, no
24 one else can come in."

25 No. There is an overwhelming demand for homes,

1 and it will stay that way for quite some time. There
2 are just not enough roads to accommodate the population
3 of South Orange County today and in the future.

4 My concern is about the safety. I am very
5 concerned about a very serious situation like a
6 terrorist attack on San Onofre or perhaps a nuclear
7 fallout. Our evacuation center is supposedly the
8 Orange County Fair Grounds in Costa Mesa. Guess what?
9 We won't make it. We won't even make it to the freeway.

10 And what about a major earthquake? We need
11 more roads to access for emergency vehicles. Imagine
12 you and your family being injured in a major catastrophe
13 and no emergency help can get to you or your children?

14 I wrote to the Orange County Register on
15 July 14th, 2003 explaining my concern over a serious
16 accident on the I-5 just south of Camina de Estrella.

17 On that day, we had major gridlock all day and
18 traffic was backed up to the El Toro Y at one point. It
19 took me hours to get home to San Clemente from Laguna
20 Hills, and it actually took a half an hour just to cross
21 the overpass on Camino Estrella. I saw road rage and I
22 saw panic.

23 One lady behind me on PCH broke every traffic
24 law imaginable to get out of the traffic and she had no
25 concern about cutting people off, driving in the

1 shoulder or median, and running red lights. She was in
2 panic mode, and this was just from an accident.

3 You could say, "well, that was a workday and
4 traffic is always busy on South Orange County during the
5 day." Okay. But on June 1st, 2004 -- this is three
6 weeks ago -- I left San Juan Capistrano at 9:30 p.m. to
7 face gridlock on the south on I-5. There was a suicide
8 attempt on the Pico overpass and I-5 in San Clemente.

9 Traffic on PCH and Capitola Beach was still
10 backed up at 11 p.m., and every Saturday morning until
11 mid afternoon the I-5 is jammed in San Clemente just
12 south -- just south -- going south just north of Pico.

13 We now have traffic jams on Camino Real
14 downtown. We need the Foothill-South now and for the
15 future. We cannot wait for a major catastrophe and then
16 react. If we start building this road tomorrow, it
17 might already be too late. We need to be proactive. We
18 have built too many homes without adequate
19 infrastructure.

20 And you can blame developers or the builders or
21 even city council. However, the fact remains we need
22 this toll road for our safety and the safety of our
23 family and friends.

24 Thank you.

25 (The following portion of the

1 transcript was reported by Suzanne
2 stringfellow.)

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1 MIMI CALDERS: My name is Mimi Calders, and
2 I'm a city council member in the city of Laguna
3 Niguel. We in South Orange County are proud of the
4 quality of life we have worked hard to develop for
5 our neighborhood. Our communities have the
6 amenities of an urban city with the comforts and
7 security of a small town. You can sum up South
8 Orange County with one word, balance. Balance also
9 sums up the development of the toll road system.
10 TCA has built the toll roads to keep traffic in
11 South Orange County moving, and help us get to our
12 homes, get to our communities and improve our
13 quality of life. At the same time, TCA has
14 permanently preserved more than 2000 areas of
15 extensive wetlands and protected endangered animal
16 habitat.

17 Foothill-South offers that same balance. It
18 will complete the toll road system, provide an
19 emergency route and an alternative to the I-5
20 freeway and alleviate the growing traffic
21 congestion of the region. But it will also have an
22 animal undercrossing and a water drainage system
23 that will collect 100 percent of the water runoff
24 and will not allow one drop from the road to enter
25 our watershed. In fact, the I-5 freeway currently

1 has no drains to prevent urban runoff from flowing
2 into our creeks and ocean. When Foothill-South is
3 built, the TCA will install drains on two miles of
4 the I-5 where the 241 connects to the freeway that
5 will actually improve our water quality at
6 Trestles, which is a large concern for many in the
7 audience today.

8 We are facing a choice. We can choose to do
9 nothing which will result in 60 percent increase in
10 traffic congestion over the next 20 years; we can
11 choose to ask Caltrans to widen the I-5, which even
12 if the state could afford the \$2.4 billion price
13 tag, which it can't, would result in the
14 destruction of nearly 900 homes and 500 businesses;
15 or we can choose the balance approach and build
16 Foothill-South. It will provide traffic relief and
17 take out no homes or businesses while doing as
18 little damage to the environment as possible.
19 Foothill-South is the balanced approach, which is
20 why a majority of the residents in South Orange
21 County, including San Clemente, are in favor of the
22 road. Thank you.

23 MARION NANCY KNIPE: I'm Marion Nancy Knipe;
24 I live in Capistrano Beach. I've lived there for
25 35 years and it is now polluted. It didn't used to

1 be. It wasn't a good surfing beach, but it was a
2 place you could go and play in the waves. But now
3 it's always posted, summer and winter, that it's
4 dangerous due to urban runoff.

5 Now, I don't like the idea of this happening
6 to Trestles Beach, which is one of the very last
7 clean beaches in Southern California, if not in
8 California, and that's what the toll road will do,
9 not only bringing urban runoff, but bringing all
10 kinds of air pollution and oil pollution, which
11 will eventually make its way to the ocean, and it
12 also will disturb the sand or the contours of the
13 beaches.

14 Another thing about the toll road, I don't
15 see why it should be a toll road. If we had to
16 have a road, which I don't believe we do, we
17 already pay lots of money in state and federal fuel
18 taxes, which is supposed to pay for our roads. And
19 so I don't -- toll roads tax the motorist, who is a
20 working person, and they don't need to actually
21 pay, I don't think, more just to drive on the toll
22 road.

23 Also, on the I-5 it is already very
24 congested south of San Clemente, between San
25 Clemente and San Diego, as a man just recently

1 said, but the toll roads which will just pour more
2 cars onto the I-5, a lot of them will be going
3 south.

4 And so it seems to me that even without
5 building more homes in Mission Viejo, Rancho
6 Mission Viejo, it will immediately cause traffic to
7 be worse on the I-5, as soon as all those cars
8 start coming down the toll road and going on to the
9 I-5. And then when they get the development, if
10 they do, then it will be worse.

11 So I don't believe this is a case of
12 traffic, it's not the problem. Even though the
13 toll road authority, or whatever it is, would like
14 you to think that. I think the problem is that the
15 landowners and developers will make millions off of
16 the land that they will be able to develop when
17 they get the toll road, and that's why I oppose it.
18 I mean I don't oppose anybody making a million if
19 they actually work for it, but when they are
20 depriving all the other quality of life and animals
21 and just causing ruin, I don't; I'm not for that.

22 ANDREW MIKESELL: This obviously is a big
23 issue because the I-5 is the biggest highway on
24 earth, I think. My name is Andrew Mikesell, and I
25 live in Capistrano Beach.

1 So this is like an issue of humanity. And I
2 want to remember that the only way the O'Neills
3 seem to claim this land is through the ethnic
4 cleansing and genocide of the native Americans, and
5 they don't really have a right, I don't think, to
6 determine the outcome of the land. And I wish that
7 the federal government would jump in and give us
8 the 2.7 billion to widen the I-5 and let that
9 traffic flow, because it's going to create more
10 congestion to have these two roads converge anyway,
11 and that seems like a better solution than ruining
12 this treasure that's back in those hills and that
13 keeps the ocean alive and keeps that last stream
14 pumping pure water into the ocean.

15 Like you take the stream bed that comes out
16 of Coto de Caza, the only animal life that can live
17 in it are these beetles, because it's so destroyed
18 by all the runoff from the people watering their
19 lawns. The stream is supposed to be dry, and then
20 when it rains, it comes to life like the desert
21 when the desert blooms. But the civilizations are
22 just killing the earth. And our ocean is important
23 and the O'Neills don't have a real right to that
24 land; it was genocide and ethnic cleansing of the
25 area, of the inhabitants that live there. I think,

1 I don't know, I wish the feds would come in and
2 give us the money instead of that \$87 billion for
3 Iraq, which is really horrible. Thank you.

4 REED ROYALTY: My name is Reed Royalty; I'm
5 the president of the Orange County Taxpayers
6 Association, or O.C. Tax, as we call it.

7 we think that a good economy is best for the
8 environment. And you look around the world and the
9 worst ecological messes in the world and in
10 California are in economically distressed and
11 densely populated areas. And in addition to that,
12 we think that free-flowing traffic is better for
13 the economy than stop-and-go traffic. And from
14 these observations, we conclude that good roads
15 keep our economy and our environment healthy. Toll
16 roads are especially helpful to the economy and the
17 environment.

18 First of all, user fees, in this case,
19 tolls, are better than taxes. We are forced to pay
20 taxes whether we use the service or not. We pay
21 tolls voluntarily in fair exchange for using the
22 roads. Isn't that better than taxing everybody for
23 a service whether or not they choose to use it?

24 Secondly, measurable results are better than
25 unknown results. Drivers' willingness to pay tolls

1 is an absolute measure of customer satisfaction and
2 investors' judgment. Isn't that better than
3 billing taxpayers for so-called free roads from
4 which there is no test of the cost-effectiveness.

5 Third, practical solutions are better than
6 waiting for miracles. The toll roads were planned
7 as freeways, but there's no taxpayers' money to
8 build them. So TCA stepped in and built 67 miles
9 of first class roads with investors' money. When
10 the bonds are repaid, the toll roads will become
11 freeways at very little cost to taxpayers. Isn't
12 that better than waiting a lifetime or perhaps
13 forever for the state and federal governments to
14 pay a sum of money extracted from taxpayers to
15 build roads?

16 Finally, voluntarily investments are better
17 than taxes to build infrastructures. Toll roads
18 are 85 percent funded by nonrecourse revenue bonds,
19 not taxpayer guaranteed general obligation bonds.
20 Developers impact these for 11 percent in grants, 4
21 percent pay the rest. Isn't it better to have
22 investors and drivers, not taxpayers, assume the
23 financial risk of building roads and paying for
24 them? They would build infrastructure with
25 investor money and user fees rather than taxes.

1 The toll road alternatives can be completed,
2 whereas taxpayer financed improvements probably
3 never will be funded. We support the toll road
4 alternatives in the draft EIS; that is widening --
5 we oppose the nontoll road alternatives in the
6 draft EIS, that is widening the arterials and the
7 I-5 because those rely on nonexistent tax dollars,
8 not user fees, and may never be completed.

9 We also of course oppose the no action
10 alternative which, by 2025, will condemn people in
11 San Clemente and elsewhere in the county to eight
12 hours of gridlock a day. The Orange County
13 Taxpayers Associate hopes that toll roads will have
14 a large role in handling our transportation
15 problems of the future. Thank you.

16 JERRY COLLAMER: My name is Jerry Collamer;
17 I live in San Clemente. I'm a friend of Trestles
18 Surf Beach, I'm a friend of San Onofre Surf Beach,
19 I'm a friend of the mighty San Mateo watershed and
20 a friend of Camp Pendleton Marine Base. Actually,
21 I'm more than a friend, I love them. I love
22 Trestles because it's the last surf beach in all of
23 Southern California, from Santa Barbara to San
24 Diego, and it's consistently clean and healthy, the
25 last one. Every other surfing beach here is not

1 healthy. That's a sickening revelation. Trestles
2 Surf Beach and its neighbor, historical San Onofre
3 Surf Beach, are considered by surfers worldwide as
4 Californians' surfing Yosemite, and that's huge.

5 So why hasn't Trestles and San Onofre become
6 polluted like all the rest of Southern California's
7 coastline? Because the mighty San Mateo watershed
8 that creates San Mateo Creek, which feeds into
9 Trestles and San Onofre is the last undisturbed
10 coastal watershed here. Simply put, there's
11 nothing bad upstream to pollute our Yosemite
12 downstream at its river mouth. It's a perfect
13 10,000 year old plan, maybe 10 million year old
14 plan. Having Camp Pendleton's 200 square miles of
15 open space as a good neighbor is of equal
16 importance.

17 However, the toll road is cutting through
18 the very heart of [inaudible], San Mateo Creek down
19 to Trestles and San Onofre. Eliminating San Mateo
20 Campground in the process will ruin Trestles and
21 San Onofre in both imaginable and, as of yet,
22 unimaginable ways. Southern Californians' last
23 clean surf break would be gone forever. Where is
24 my proof? At every other Southern California surf
25 break. Urban development is my undeniable proof.

1 If you build it up there, it ends up at the beach.
2 A few miles north of Trestles is a sad Doheny
3 Beach. Doheny is rated the sickest coastal water
4 in all of Southern California. Its sick water
5 problems are all man made. Its illness has been
6 carefully engineered with the best of intentions.

7 Here is what I would like you to do. Join
8 me and the thousands of others who want to preserve
9 Trestles and San Onofre for another 10,000 years by
10 figuring out a different solution to your toll
11 route problem. I am suggesting don't bring your
12 problems down to Trestles; we don't want it. You
13 can't really afford the toll, and either can we.
14 Work with us to save our surfing Yosemite; come up
15 with a better plan. Thank you.

16 J. MICHAEL HARTY: I think that's all the
17 speakers who have signed up to this point. If
18 anyone else would like to comment on the record in
19 this room, you should please feel free to do so
20 and, if not, just sign up and have your five
21 minutes, otherwise I can offer you nothing else at
22 the moment. You can avail yourselves of the
23 information stations and we will remain open for
24 anyone who wants to provide comment in this forum
25 as long as we need to this afternoon.

1 Is anyone else going to come up right now?

2 (Recess.)

3 GIL CHASIN: My name is Gil Chasin and I'm a
4 licensed acupuncturist and homeopath. I practice
5 natural medicine in Dana Point, California, in
6 Monarch Beach, and I am unalterably opposed to this
7 proposed southern addition to the toll road.

8 Already we are seeing people who use the
9 oceans coming in with all kinds of skin diseases,
10 ear infections, digestive disorders that are traced
11 to pollution in our local beaches. And this toll
12 road would add an incredible, incredible burden to
13 the already overtaxed waters that are our local
14 pleasure, our local joy and are part of the lure
15 for tourism as well.

16 In addition, this toll road would add
17 incredible burden to what's left of the wildlife,
18 the wild lands and, in particular, I'm concerned
19 about the Donna O'Neill Land Conservancy
20 decimation, which would occur with having to have
21 this toll road run through -- right through the
22 conservancy.

23 Also, as a surfer -- a former surfer,
24 anyway -- it would, again, add incredible burden to
25 the waterways and decimation of Trestles, which is

1 one of the most beautiful surfing spots in the
2 state. It would ruin it as we know it.

3 So just in summation, I want to say that
4 this is an absolutely incredible land grab, from my
5 perspective, by the developers who are involved in
6 this and an outrageous attempt to lord over the
7 local community. I don't know if I'm being mean
8 enough, strong enough and vociferous enough to
9 express my sadness that this would even come as a
10 proposal. It absolutely should be eliminated from
11 any future consideration, not just for this time,
12 but for any time, this thing should be absolutely
13 eliminated as any possible consideration for
14 further development. Thanks.

15 [The following portion of the
16 transcript was reported by
17 Carmen Hunter.]

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1 THURMAN BLIZZARD: I live at 900 Via, v-i-a,
2 Space VE, Angeles, San Clemente, 92672.

3 I live in the Villa Vista community that's
4 access -- access through Pico. And I've lived there for
5 almost seven years and I'm very concerned about the
6 impact of a connection for 241 and the Pico corridor for
7 the following reasons.

8 One, the -- the quality of life in San Clemente
9 in particular in the communities that are directly
10 affected which include Talega, Rancho San Clemente,
11 Forester Ranch, and Pacific Shores will all be impacted
12 in the following negative ways: Increased noise, loss
13 of aesthetics, view, pollutants in the air, airborne
14 pollutants, noise and the fact that our town will be cut
15 in two, into two parts by such an intersection.

16 This is an urban -- this is a rural, rather,
17 suburban community and most of the people who live there
18 chose to live there because of the aesthetic and quality
19 of life. That will all change should the Pico corridor
20 option be selected.

21 I am dismayed, dismayed that this hearing is
22 not being held in one of the communities being directly
23 affected since its purpose allegedly is to gain input
24 from various groups, most significantly those people
25 directly affected, in which case people, in San Clemente

1 who live in the proximity of Pico.

2 It's my understanding that another alternative
3 for this road is through Camp Pendelton in an
4 undeveloped area and that this is being resisted rather
5 vehemently by the environmentalist groups.

6 If in fact pollution, noise, and loss of
7 aesthetic is bad for rabbits and coyotes, then it is
8 equally disastrous for people. In my opinion, more so.

9 I would like to urge this committee to further
10 expand the hearings to include a location in
11 San Clemente where the residents who will be directly
12 affected will have an opportunity to speak up.

13 The fact that this site of this hearing in
14 Rancho Santa Margarita is out of the way and poorly
15 advertised speaks to a motivation by Rancho
16 Mission Viejo and other interested parties in bypassing
17 a direct San Clementian voice.

18 I will state that if this particular Pico
19 corridor is elected as an alternative, there will be
20 massive resistance from those residents being affected.

21 My next move here is to go to the newspapers
22 and try to arrange petitions and a show of support for
23 maintaining the quality of life and -- in a more
24 developed urban areas of San Clemente.

25 That's about all I have to say. I'm certainly

1 available for discussion should anyone choose to call
2 me. My phone number is (949) 369-5862. I would like to
3 know when and how the next step in selecting the
4 corridor will take place and I would appreciate someone
5 contacting me with that information.

6 DANIEL SPARKS: I just want to say that I am
7 for the construction of the toll road because I've been
8 a resident for Orange County for almost the last 20
9 years and I've seen the increase of traffic volume on
10 all the freeways.

11 I do work in the construction field and have
12 traveled all freeways extensively in Southern California
13 and have seen the toll road is badly needed because the
14 traffic is going to get worse.

15 I feel that the impact to the environment is
16 just as great, if not greater -- of course, I'm not an
17 expert -- of having the traffic congestion getting worse
18 versus building the toll road. And not to mention that
19 it will bring added jobs to the community.

20 I guess that's about it.

21 DENNIS SAYLOR: I live in Orange County and I
22 see traffic getting worse and worse on I-5, and so I'm
23 supportive of this project that would alleviate traffic
24 on I-5. I support the three eastern alternatives
25 because they would seem to provide the best traffic

1 relief and also they would not involve the taking of
2 homes or businesses and impacting those.

3 WALT STRINGFELLOW: I am a resident of
4 San Clemente. The members of my family include my wife
5 Lesley, L-e-s-l-e-y, four sons between 31 -- well,
6 they're 31, 30, 24 and 22 and a daughter, 18.

7 All of us are vigorously opposed to this
8 project. We have known San Clemente and South
9 Orange County for a number of years since my parents
10 lived in San Clemente six months a year beginning in the
11 1970s until -- until just before they passed away
12 several years ago.

13 We've seen the area grow and boom more heavily
14 populated. We are very concerned about the impact of
15 the toll road to create further density and change the
16 character of the area even more dramatically than it's
17 already changed.

18 We believe that the toll road will not provide
19 any relief from traffic other than on a very short-term
20 basis. We believe and are most concerned about the
21 potential for damage to the environment and several
22 areas.

23 First area which we're concerned is the area
24 around the San Onofre and Trestle State Beach area.
25 That is the last undamaged ocean front beach area in

1 Southern California.

2 Having lived in Los Angeles for 25 years, I
3 know what beach areas can come to look like and I feel
4 concerned that the damage from the toll road will lead
5 to such a condition.

6 I think it's impossible that there wouldn't be
7 greater pollution. I think there will be far greater
8 numbers of people who will then find it possible to live
9 in the inland area along the toll road. I believe that
10 the toll road will damage the inland area between Oso
11 and the 241 current and the I-5, Basilone intersection.

12 We all feel confident that the development of
13 the toll road will facilitate the development of further
14 residential products in that inland area rendering it
15 fully occupied rather than open and in a natural state.

16 We believe it's essential that some portion of
17 California remain unpaved, remain in a natural state
18 where wildlife can reside and we can still have some of
19 the benefits of the very desirable physical qualities of
20 Southern California.

21 So we are extremely opposed to the project and
22 that it will -- that it will be stopped and we won't end
23 up with another toll road like the 73 in financial
24 difficult of -- difficulty and becoming a burden on the
25 tax payers.

1 Thank you very much for the opportunity to
2 speak.

3 LISA KERR: I oppose the expansion of the toll
4 road. I do not believe that the toll road will do
5 anything to alleviate the traffic in San Clemente. In
6 fact, I believe it will exacerbate the situation.

7 Rancho Mission Viejo is a biological hot spot,
8 a unique area, one of the only left in Orange County.
9 We're the only left in the world of its kind. We do not
10 need more urbanization in Orange County. We need more
11 free space for people to enjoy the area.

12 We also have several endangered species that
13 will be negatively impacted by the expansion of the toll
14 road. I do not believe this is for the better of
15 San Clemente. I do not believe this is for the better
16 of Orange County. I believe this is only better for the
17 developers to make more money.

18 And I am a science teacher at the local high
19 school, San Clemente. I teach advanced placement and
20 environmental science.

21 RICHARD METCALF: My name is Richard Metcalf.
22 I am a San Clemente resident and property owner. I'm a
23 retired senior officer from the United States Army, and
24 I'm presently a corporate executive with a biomedical
25 company in north Orange County.

1 I commute 45 miles each way, and in the time
2 I've been making that commute, not one day have I said
3 it hasn't been worth it because San Clemente is a great
4 community. It's a peaceful community to live in, and
5 I'm very much willing to make the sacrifice to live
6 there.

7 Ideally, I wish it wasn't necessary to have a
8 toll road, but unfortunately, I feel it is with the
9 development that needs to be finished in South
10 Orange County. And given the options, I feel that the
11 far east corridor options are clearly the most cost
12 effective.

13 They are most likely to relieve congestion in
14 San Clemente, which is already getting busy on the I-5
15 corridor through the town. Properly done, the southern
16 terminals of the toll road won't need to impact Trestles
17 and the beaches, and the Trestles area will be
18 preserved.

19 I react negatively against the bumper stickers
20 that say, "Save Trestles. Stop the toll road" because I
21 think the two can mutually exist there. I think it will
22 also create the security in Camp Pendelton by having a
23 traffic -- clear traffic barrier along that boundary.

24 I have concerns about the Pico corridor because
25 of the increased arterial and local traffic congestion

1 that will be created. I feel an alignment along the
2 Pico corridor will destroy much of the ambiance of the
3 city of San Clemente.

4 The culminating disgrace would be an El Toro Y
5 type of interchange that will be effectively right in
6 the center of the city and would be disrupting many of
7 the views that exist of the remaining homes if that
8 alignment were followed.

9 Additionally, that alignment, the Pico
10 alignment, any of its variants will substantially
11 increase the noise and chemical pollution along the
12 corridor. It will cost a lot of money and it would
13 largely ruin a planned community that has been developed
14 in the newer part of San Clemente. It would include
15 Talega, the reserve, Rancho San Clemente, Forester
16 Ranch, Marble Head, all of these areas would be
17 impacted.

18 I feel that the environmental impact on the
19 eastern zone, the eastern quarter alignments, would be
20 minimal because it would only occupy a very small amount
21 of the terrain as opposed to the dramatic and
22 substantial human impact that would occur on any of the
23 Pico alignments.

24 In closing, I support the -- any of the
25 eastern, far eastern alignments based on the cost

1 effectiveness and the alignments -- the final alignments
2 that would most maintain the local environment.

3 And I'm very much against the Pico alignment or
4 any of the Pico alignment variants for the reasons I
5 stated above.

6 Thanks very much for your attention.

7 In addition to my earlier remarks, as I look at
8 the option for the far eastern corridor and the Pico
9 corridor, the option for the Pico corridor, it seems to
10 boil down to a simple -- two simple factors: First
11 factor is that the socioeconomic cost to the Pico
12 corridor options would be huge. Whereas the
13 environmental cost of any of the far eastern corridor
14 options would be minimal.

15 No homes would be impacted and it would have
16 only at the minimum impact on that environment, given
17 construction techniques of today. The second point that
18 I want to make is that any of the options in the Pico
19 corridor would exacerbate rather than alleviate an
20 existing problematic traffic flow on the I-5 corridor
21 both as regards to local and regional transport.

22 The best option to mitigate that would be any
23 of the far eastern options.

24 Thank you.

25 EHSAN TAVASSOLI: I would like to support the

1 Foothill project. I think it's essential for the -- I'm
2 resident of the ranch county. I think if we don't do
3 anything right now, we'll have the problem like the 23,
4 for example, ten years and traffic will become worse and
5 worse every day. So I think we need to complete the
6 network where its in the near future. So I'm going to
7 support the Foothill project -- Foothill-South project.

8 I study project a little bit, but I think that
9 the three alternatives -- I mean, the three eastern
10 alternatives are good. So I think the city should do
11 that very soon or some -- I don't know what agency is
12 taking care of this project.

13 GEORGE HALE: As a local citizen, I think it's
14 important that we need more transportation facilities in
15 Orange County.

16 I think the extension of the toll road all the
17 way on the eastern alignment all the way through the --
18 what's the Marine Corps. base, Camp Pendelton, is the
19 most desirable alignment that will help the overall
20 transportation the most. And I think it serves people
21 and I think people ought to start being more important
22 than biological resources or some rodent that nobody's
23 heard of or some insect that nobody's heard of.

24 And from a people perspective, we need more
25 transportation facilities. We're way behind and this is

1 going to help us with the future. And I also think it
2 would be important to tie Crown Valley to the new toll
3 road because Crown Valley is the only corridor that goes
4 all the way to the ocean.

5 LINDA HALE: It is essential in overall
6 planning for people and their movement to work to have
7 an additional route to San Clemente because the 5
8 Freeway is very overcrowded.

9 whether people want it or not, there will be a
10 lot more people living in South Orange County, and it is
11 important to help those people move more effectively and
12 efficiently up and down the freeways to get to and from
13 work and their recreation and other needs.

14 I feel that the three eastern routes would be
15 the most effective for this purpose because it is
16 through open land rather than imposing on the houses and
17 the people that already live there.

18 Responsible urban and suburban planning
19 requires the planning of routes for people to get to and
20 from work. I think this toll road is an idea that time
21 has come, and I think it will be irresponsible not to
22 create it and to help the people go to and from work.

23 It doesn't help the environment to have people
24 in stop-and-go traffic using gas, polluting the
25 environment. It's more effective to have more routes

1 for people to move more efficiently.

2 (The proceedings concluded at 6:00 p.m.)

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify: That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: _____

SUZANNE STRINGFELLOW
CSR No. 5652

PARTONE

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I, the undersigned, a Certified Shorthand
Reporter of the State of California, do hereby certify:

That the foregoing proceedings were taken
before me at the time and place herein set forth; that
any witnesses in the foregoing proceedings, prior to
testifying, were placed under oath; that a verbatim
record of the proceedings was made by me using machine
shorthand which was thereafter transcribed under my
direction; further, that the foregoing is an accurate
transcription thereof.

I further certify that I am neither financially
interested in the action nor a relative or employee of
any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed
my name.

Dated: _____

CARMEN HUNTER
CSR No. 12048

PARTTWO

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SOCTIIP PUBLIC HEARING

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10 June 16, 2004

11 10:00 a.m. - 4:00 p.m.

12 Tesoro High School, Rancho Santa Margarita, California

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15 PART TWO: TRANSCRIPT OF PUBLIC COMMENTS

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21 Reported by:
22 KATHY BAUERNFEIND
23 CSR No. 11921

24 Job No. 23032B

25

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1 STEVE PEZMAN: I'm the publisher of the surfer's
2 Journal, and the publisher of Surfer Magazine from 1970
3 to 1991, and I serve on the advisory committee to the
4 Surf Industry Manufacturers Association and to the
5 Surf-Rider Foundation and to the United States Surfing
6 Federation which govern the amateur surfing body in the
7 US.

8 I've -- I'm a surfer since 1957, and I've been
9 surfing Trestles for almost 50 years, and I'm against the
10 toll road going through the San Mateo valley. I have
11 concerns about maintaining the recreational value and the
12 aesthetic of the Trestles surf beach area due to water
13 quality, maintaining the quality of the wave, and
14 maintaining the aesthetic of the overall surfing
15 experience, the natural -- i.e., natural surroundings.

16 I'm worried about drainage and pollutants coming
17 to the ocean through the stream. I'm worried about the
18 hydrodynamics of the entire area, which is an
19 inter-relationship between the stream flow, the nature of
20 the stream flow, and the reefs and waves that it causes.
21 The quality of those waves are unique in the surfing
22 world, and the reactional value of that resource is
23 invaluable.

24 The valley, on esthetic values -- and this is
25 more on a personal level -- it's the last unfettered

1 coastal valley in Southern California. We have to stop
2 sprawl at some point, whether it's point A or point B or
3 point Z. My hope is, and is that for future generations,
4 we stop this sprawl before it engulfs the last unfettered
5 coastal valley for our quality of life and for that of
6 future generations. Thank you.

7 DON THOMAS: My name is Don Thomas, 20852 Hunter
8 Lane, Huntington Beach, 92646. And my statement: How do
9 you propose to address the runoff problem that has
10 plagued all the other toll roads? Toxic chemicals washed
11 off the road surface destroy plant life, pollute
12 watersheds, and poison the micro-life so necessary to a
13 healthy environment, and the runoff contributes directly
14 to erosion. Just take a look at the 73. That's all.

15 LINDA REAGAN: Hello, I'm Linda Reagan. I'm
16 president of the San Clemente Garden Club, and -- but as
17 a private citizen, I am opposed to the toll road and the
18 damage that it will do. I'm opposed to both -- all the
19 routes that they want. I feel that the toll road will
20 just dump into the 5 freeway. At that time, we will
21 become completely impacted, that this is a political
22 thing to open up our back country to more development,
23 and it will impact all of our lives in San Clemente.
24 Thank you.

25 LISA FARINELLA: Lisa, L-i-s-a, Farinella,

1 F-a-r-i-n-e-l-l-a.

2 Residents of San Clemente have many concerns.

3 As a taxpayer, I expect my state and federal officials to
4 be as concerned as I am regarding the fiscal situation
5 that developers of the toll roads are presently working
6 under. The 73 freeway that runs through Laguna Beach is
7 another example of financial greed gone awry, and the
8 taxpayers seem to be paying for it.

9 The ecological impact on the area is evident as
10 well. As a San Clemente resident who moved out of Los
11 Angeles County to escape the substandard quality of life,
12 I'm stressed that many developers are quickly moving to
13 make South Orange County another carbon copy of the same
14 mess that exists there, an ever-expanding series of
15 communities with little or no open spaces is what many of
16 us moved here to avoid. Planned growth is becoming
17 synonymous with a serious density issue that many of us
18 are learning has fiscal as well as physical impacts on
19 each community.

20 As a mother and frequent beach-goer, I am very
21 worried that the beaches in San Clemente, like all the
22 other beaches north of us, will have runoff from homes.
23 Laguna Niguel and Aliso Viejo have made Doheny, Salt
24 Creek, and numerous other beaches unusable by my family.
25 A posting of warning: Ocean Water Contact May Cause

•

1 Illness, Bacteria Levels Exceed Health Standards is
2 posted on nearly every beach north of San Clemente.
3 Residents here have made a serious commitment to avoid
4 this by paying a monthly fee for our own sewage treatment
5 plant. It is inconceivable to me that the EIR makes no
6 mention of the fiscal and ecological impact 14,000 homes
7 and a multi-lane toll road would have on our efforts to
8 keep our beaches safe for our community's children.

9 In closing, please keep in mind that few
10 residents in this community want or need this toll road.
11 It is wanted only by the developers of the inland areas.
12 These developers want to build a road that will not be
13 used enough to pay for itself and then expect us to help
14 bail them out. Please tell them that this will not be
15 tolerated. Thank you.

16 (Exhibit submitted by speaker Farinella.)

17 ROB EDWARDS: It's Rob Edwards. I'd just like
18 to say that I'm completely opposed on like six or seven
19 different reasons to the toll road, and first and
20 foremost would be the ruined ecosystem of that watershed,
21 the last remaining watershed in Southern California;
22 significantly more congestion to Southern Orange County,
23 San Clemente especially, San Juan Capistrano; polluted
24 runoff into the creek, pretty much ruining a world class
25 surf spot called Trestles; cutting through a state park

1 without any regard for the surroundings; and everybody in
2 our community is just appalled that this could even come
3 about, and mostly to support a bond and not have anything
4 to do with commuting, just a -- I look at it as a
5 fiscal -- fiscal, just misthinking. I mean they're not
6 focused on what the true needs of the community are, and
7 they're just wanting to pay for this bond. That's where
8 the revenue is generated for the toll road is selfish and
9 self-centered. That's about it.

10 CAROL EDWARDS: I'm Carol Edwards, and I'm
11 against the toll roads. My husband surfs, and I'm afraid
12 that having the toll roads take out the last clean
13 watershed is going to make him sick. He already comes in
14 from Doheny with his eyes red and coughing and stuffy
15 nose, and I'm afraid that the clean water is going to be
16 gone because of all of the pollution that's coming our
17 way. And I'm also afraid that it's going to push us out
18 of our home, because it's already getting more crowded,
19 and having all the cars come in, and it's already traffic
20 jammed on the freeways. I'm just afraid it's going to
21 make it worse. Thanks.

22 DONALD THOMPSON: Good morning. Donald
23 Thompson. We live in San Clemente. We are against any
24 road that goes through San Clemente to meet the 5. They
25 can go around down to the Trestles area is okay, but not

1 through San Clemente, and especially Pico Boulevard.

2 There is one other -- listen to me, I got one
3 point to add. They have -- there is an auxiliary case of
4 the 710 freeway stopping in the middle of Alhambra on
5 Valley Boulevard. It was supposed to go to Pasadena. It
6 never has. This has been 50 years, because it's been
7 blocked by the City of South Pasadena through suits, so
8 you can't do one thing in one place and then come down
9 here and do it another if people don't want it, or a suit
10 comes.

11 So I will join any class action lawsuit
12 against -- through San Clemente. I mean down the middle
13 of San Clemente to join the 5. That's it. That's
14 enough.

15 MARGARET J. THOMPSON: I'm Margaret J. Thompson,
16 and I live at 307 Calle Pueblo, San Clemente, and I'm
17 against the toll road specifically, but most specifically
18 against the big changes on the Pico, which would impact a
19 lot of people, people being almost as important as a
20 gnatcatcher or as a public transportation highway. And
21 the impact in our area seems to be a removal of homes,
22 businesses, and not to mention the noise, the air
23 pollution, and all of that that comes with heavy traffic.
24 And I think it will be, because truck drivers will be
25 able to come from Riverside, San Diego, or Mexico much

1 quicker. I'm not sure that Teamsters and truck drivers
2 pay to drive on our highways, taxpayers do, voters do,
3 and I guess that's it. Thank you.

4 CLAIRESUSSEX: Claire, C-l-a-i-r-e, Sussex, S
5 like sam, u-s-s-e-x.

6 I just want to say we've lived in San Clemente
7 for 15 years now and raised our two children, who are 11
8 and 14, by the beaches that have been exceptionally
9 clean, and we want them to stay that way, so our concerns
10 are that we don't want to be the next victim to polluted
11 surf and beaches.

12 we are concerned about what happened with the
13 San Joaquin toll road, the 73, where the filters that
14 were installed initially to prevent pollution didn't work
15 from the beginning, and it cost the taxpayers 13 million
16 dollars to repair that.

17 we want really to see a compelling need for the
18 toll road and don't feel there is one at this point in
19 time.

20 NADIA PERALTA: I'm Nadia Peralta. I'm 14. I
21 just kind of think that we don't really need this because
22 after what happened with the other toll road running
23 through Laguna, it doesn't make California as beautiful
24 as it actually can, because I really think we have a
25 really pretty state.

1 And there's a lot of congestion from San
2 Clemente, that is true, but we've already brought it upon
3 ourselves, so we just kind of have to stop building as
4 much as we have, and this should be the first step to
5 trying to conserve it better. Thank you.

6 JENA SUSSEX: I'm Jena Sussex, and I've lived in
7 San Clemente my entire life, and I really don't want to
8 see it go from such a beautiful place to where you're
9 replacing everything with a road, and to do -- to put a
10 road through something that's been in San Clemente for so
11 long like San Mateo Campground, or to pollute Trestles,
12 is ruining everything people have lived with forever.
13 That's it.

14 ELIZABETH VALLES: I'm Elizabeth Valles, and I
15 live at 321 Calle Neblina in San Clemente. I've been
16 there for 25 years, and my whole family is there, and if
17 it goes down --

18 My complaint is not to go down Pico. I'm not
19 against toll roads, I'm against going down Pico, and it
20 would take one of my family's homes, and I've been 30
21 years in small business, and I've had to up to 27
22 employees. I think that economically it makes no sense
23 at all to take out over 600 homes at a million dollars a
24 home, approximately, it is 600 million dollars. They
25 would be wiping out a shopping center which has just sold

1 for 980 million dollars, and that's before you start
2 building the roads.

3 Economically, I just can't understand why they
4 wouldn't go south of Pico with their project, and if they
5 have that much money, I don't understand why we can't
6 have a freeway double deck on the 5, and have it so that
7 the availability of my businesses -- I have two, one in
8 San Diego, one in Orange. And it used to take 40 minutes
9 maximum, both directions, to get wherever I wanted to go.
10 I now spend an hour and a half each way, and it seems to
11 me like they should improve the total -- the total
12 situation as far as traffic is concerned in today's world
13 without spending that billions of dollars on making it
14 where it's an impossible road to go, so I'm definitely
15 against it going on Pico. Thank you.

16 PAUL MORENO: My name is Paul Moreno. I live in
17 Mission Viejo. I lived there since 1970, so I've seen a
18 lot of changes in the 34 years that I've lived here.
19 Some good, some mostly bad, traffic for one. I'm opposed
20 to the toll roads primarily because I don't think that
21 they were really planned out like they should have been.
22 The very first one, the San Joaquin toll road, is of
23 course in danger of going under and will become a drain
24 on the taxpayer.

25 The other one, the eastern, is profitable, and

1 it should probably remain so.

2 The third one that they're planning now, they
3 haven't proven it is needed, and I think that that one
4 also will become a drain on the taxpayer. I don't think
5 it's going -- I don't think it's needed, I don't think
6 it's going to make a profit. The Transportation Corridor
7 Agency has not proven that they're a physically
8 responsible agency. I think that they seem to not really
9 have studied the Foothill-South alternatives.

10 I'm concerned because of the impact that it's
11 going to have on the endangered species in the area. I'm
12 concerned that it's going to destroy San Mateo State Park
13 and San Onofre State Beach, which I have been visiting
14 with my grandchildren, and which I visited with my
15 children before that.

16 And I just think that the Foothill-South leg of
17 the Transportation Corridor will become another drain on
18 the taxpayer, and that's my biggest concern. Thank you.

19 RANDY ROCK: It's Randy Rock, address is 483
20 East First Street in Tustin.

21 Initial concern is the disrespect for the
22 environment, that expediency and economic gain should
23 never take precedence over environmental issues. The
24 so-called options of corridor access meaning peripheral
25 wildlife. The wildlife will not adjust. They're not

1 made to listen to our commands. We need to study them.
2 And the noise impact, the blockage of their own migration
3 patterns will be -- and that needs to be biologically
4 studied to see what has happened in the past. That
5 actually has been successful locally, as well as San
6 Diego, LA area, because it may be successful like in
7 Florida, but may not work here.

8 They have been continual examples of
9 mismanagement for the other toll roads, the existing 241
10 and the 73, so we should not trust the same company for
11 further expansion. And it will expand the traffic --
12 expand even more traffic instead of reducing it, so we
13 need to have alternative in mass transit. That has to be
14 our chief goal. And increased pollution.

15 Also, there is limited gas supply, we all know
16 of that. We cannot produce something we don't have, so
17 we have to go to conversion, fuel efficient conversion.
18 Thank you.

19 (Exhibit submitted by speaker Rock.)

20 MATTHEW KOLYSKO: I'm Matthew Kolysko,
21 K-o-l-y-s-k-o. I live in the City of San Clemente. I'm
22 a small business owner.

23 The proposed toll road -- the space of the
24 proposed toll road is an area where on a daily basis I
25 walk, ride my bike, run my dog. In my opinion, the

1 proposed toll roads are a disaster.

2 Politically, I'm middle of the road, and I like
3 to look at both sides and make a judgment. On these
4 proposed toll roads, I find that they are a disaster
5 economically, environmentally, and socially.

6 Economically, PCA has not been able to sustain
7 profit for its bond-holders, and it's projected that they
8 never will.

9 Environmentally, the environmental impact report
10 does not take into account the effect of the toll roads
11 on the actual surf at Trestles or San Onofre Beach. San
12 Clemente is based on a surfing industry. It is a surfing
13 subculture. San Mateo Campground also where the toll
14 road would go through, tons of thousands of visitors
15 attend that and enjoy that campground. It's one of the
16 only campgrounds in the area that you don't hear freeway
17 noise.

18 If the toll road goes through, it's not going to
19 only affect myself, it's going to affect tens of
20 thousands of people that enjoy that area. We need more
21 open space for public enjoyment and recreation, not for
22 urban sprawl and development. San Mateo and San Onofre
23 park is my backyard. If you wish to gamble, go to Vegas.
24 Don't gamble in my backyard. Thank you.

25 BEAU TUCKER: My name is Beau Tucker, B-e-a-u,

1 T-u-c-k-e-r. I live at 375 Jasmine Street in Laguna
2 Beach, 92651.

3 I'm in favor of stopping the toll road to
4 preserve the open space.

5 This is Luc Angel, same address, same statement.

6 ANNA NOBLE: My name is Anna Noble. I reside in
7 San -- the City of San Clemente, and I am very concerned
8 about the prospect of a toll road going in anywhere
9 through or into San Clemente and hooking into the I-5. I
10 feel it's just going to dump a lot of additional traffic
11 in and make the I-5 impassable and just a parking lot
12 instead of a freeway.

13 Also, it will open up so much ground for
14 developers, and we already have a shortage of water.
15 water's extremely expensive, and pollution that all these
16 new homes will be adding, so I definitely am not in favor
17 of any toll road, but would vote for no toll road and
18 widening the I-5. Thank you.

19 JEANNE O'GRADY: Jeanne O'Grady, and I live in
20 San Clemente.

21 Basically, what I'd like to say is that it's
22 become very obvious that the toll road extension is only
23 about one thing, and that's creating more available land
24 for development in the back hills. There is no economic
25 value to the existing members of this community. In

1 fact, the question that I would ask is how are we going
2 to get water to all those people out there if we continue
3 to put development in.

4 The other thing -- so to me, it's all about
5 sprawl. If anybody drives that section between Camp
6 Pendleton and the I-5, the thought of putting more
7 traffic getting dumped on the I-5 is only going to back
8 up the 5 further.

9 The thing that's really been annoying to me is
10 the disinformation campaign that the TCA has given and
11 the fear that they have created within the community of
12 San Clemente, pretending that the Pico extension is an
13 option. Pretending that if they don't do this, then they
14 are going to go and take homes off the I-5. They
15 actually sent something around a few years ago that said
16 all these homes that are on the 5 would be -- would go
17 away. So the whole thing is that the truth has really
18 not gotten into the community, and really this is all
19 about sprawling the I-5 -- sprawling the back hills for
20 further development. And that's it. Thank you.

21 RON STEWART: Ron Stewart. We've lived in
22 Broadmoor for 25 years. The pollution and the congestion
23 that would happen if that roadway came down through Pico
24 would be unbelievable. The freeway I-5 is already
25 impacted both north and south at Pico right now, and if

1 you dump a bunch more cars in there, that would just be
2 horrible.

3 The toll road's probably going to go through
4 anyway because of the developers, so it should be the far
5 east route, the one that dumps down near -- down near San
6 Onofre. And if they clean the water out of the runoff
7 there, and they keep it pristine, then you shouldn't have
8 any problems at all. But going through Pico and
9 impacting 600 and some homes plus all the shopping they
10 have just developed there, would just -- it doesn't make
11 any sense at all.

12 MARY STEWART: My name is Mary Stewart.

13 I am opposed to the toll road. I think the
14 quality of life for everyone will change dramatically.
15 unless they do a double-decker on the 5, there is nowhere
16 they can put those people who are driving the toll road
17 anyway. We've been in town for 27 years. We love the
18 community. We don't want to move, and we would have to
19 move. The impact on the quality of life, the pollution,
20 noise, environmental, would be outrageous. We just think
21 it's an awful idea. Thanks.

22 REGINA LESKY: Regina Lesky, L-e-s-k-y, and I'm
23 against the Pico corridor because of the traffic
24 implications, the pollution, the noise. I'm not
25 particularly interested in looking at an overpass in my

1 ocean view house. Just everything. I'm just totally
2 against all of it. Period.

3 JOSEPH LESKY: My name is Joseph Lesky,
4 L-e-s-k-y, 311 Calle Neblina, San Clemente, California.
5 Concerned with the -- not only my individual residence,
6 but my neighbors and my neighborhood in Broadmoor. The
7 impact the Pico route would have on our property values,
8 our quality of life, the increase in crime, just overall
9 environmental impact, health issues. Even what we're
10 experiencing from the I-5, which we're over a mile away,
11 the toll road would be much closer and be an easy access
12 to enhance the crime in the area.

13 Overall, I think the toll road is not -- not
14 necessary. It's not going to alleviate the problems, the
15 traffic problems that will exist from south San Clemente
16 to Oceanside, so my number one comment is, no on the toll
17 road.

18 Plus the toll roads are not making money, so how
19 can they justify building more toll roads when the toll
20 roads are going broke. Period. Thank you.

21 LINDA PYLE: I'm Linda Pyle. I live at 9
22 Segovia in San Clemente. I'm a 20-year resident. I'm
23 opposed to the creation of the Foothill-South toll road.
24 I'm especially opposed to the FEV-M, FEC-W and the A7
25 FEC-M alternative which go through the Donna O'Neill

1 Conservancy and the San Onofre State Park. My nephews
2 frequently surf at Trestles, and Trestles is a world
3 class surfing area. The EIR fails to acknowledge or
4 mitigate impacts to surfing quality at Trestles. I often
5 ride my bike through San Mateo Campground on the trail
6 down to Trestles. The EIR fails to take into account the
7 noise and the visual impacts of the toll road on the
8 recreational experience. Mitigation proposed on the EIR
9 does nothing to mitigate these recreational impacts.

10 After the San Joaquin toll road was built, the
11 impact of the noise and visual ugliness on Aliso Woods
12 Park was not considered. We rarely go there now to
13 mountain bike because of the negative impact to our
14 experience after the road was built. This road is not
15 necessary, and like the San Joaquin, the costs far
16 outweigh any benefit to San Clemente.

17 I am a writer of Southern California travel
18 books which direct people to find the natural beauty of
19 Southern California. Orange County has seen the toll
20 roads destroy the beauty and peace of what little open
21 space exists. Few reactional experiences don't have the
22 noise and visual impact of these intrusive under-utilized
23 roads.

24 Also as an author, I write about the local
25 native plants, birds, and animals. The special species

1 of the costal foothills are endangered by the urban
2 sprawl, which these toll roads are designed to bring to
3 undeveloped open space. The ERI must identify specific
4 parcels of land of high economic value that would be
5 purchased to mitigate habitat loss caused by the
6 construction of the toll roads.

7 The EIR must address specific alternative sites
8 to purchase to provide to the public the loss of San
9 Mateo Campground. It's difficult now to get camping
10 reservations close to the Pacific ocean, and this would
11 become worse with the loss of the San Mateo Campground.

12 We do not want an El Toro wide 100 feet above
13 San Mateo campground. The EIR fails to analyze impacts
14 on sediment flow, natural beach replenishment. Any
15 change to sand bar formation would irrevocably alter
16 surfing quality at Trestles Beach, and no road can be
17 engineered to collect all the trash and toxics.
18 Specifically, impacts to San Mateo Creek need to be
19 analyzed, and the levels of pollutants that do enter
20 these waterways must be disclosed. Thank you.

21 LESTER SCOTT PYLE: My name is Lester Scott
22 Pyle. My address is 9 Segovia Street, San Clemente, and
23 I've been a resident of San Clemente for 20 years.

24 I vigorously oppose the creation of the
25 Foothill-South toll road. I oppose it for several

1 reasons. My primary opposition is the impact that a toll
2 road would have on the small amount of open space that we
3 have left to enjoy in Orange County. My family has been
4 using the Trestles area for surfing and other recreation
5 for many years. FEC-M, FEC-W and A7C FEC-M will have a
6 significant impact on this area as well as the San Mateo
7 Campground and the O'Neill park.

8 I spend a significant amount of time at the San
9 Mateo Campground hiking and mountain-biking, and if the
10 toll road is built, it would take away the opportunity to
11 hike and bike away from roads and cars.

12 I visit the Donna O'Neill Land Conservancy, and
13 it is one of the few remaining sizable open spaces in the
14 entire county where one can get away from the sprawl and
15 the stress of urban living.

16 The proposed toll road has very few benefits,
17 and its impact to the environment and our quality of life
18 would be significant and devastating. The San Joaquin
19 toll road is under-utilized and bankrupt, and this toll
20 road would suffer the same fate at the expense of some of
21 the few remaining open spaces that we have left to enjoy.

22 The taxpayers of Orange County vigorously oppose
23 this toll road. Thank you.

24 DORI MALLOY: My name is Dori Malloy, and I'm
25 currently a San Clemente resident. I moved to San

1 Clemente about a year ago, and I just want to give some
2 feedback on the expansion.

3 My background is in biology. I'm a biology
4 major with a concentration on ecology and evolutionary
5 biology. I'm also an administrator for the county of
6 orange, so I have a lot of interest, as well as being a
7 San Clemente resident.

8 My husband and I chose to move to San Clemente
9 about a year ago for the quiet and peaceful way of life
10 that was offered. We ended up spending a great deal of
11 money to buy our house, almost \$900,000, because we were
12 attracted to the quiet and peaceful environment out
13 there. Now we're very concerned because the expansion of
14 the toll road would have a direct impact on us.

15 The La Pata option that they are showing would
16 tie into the street that runs directly behind our house
17 which is Camino Del Rio, and if that were to happen, it
18 would significantly increase the traffic, the noise, and
19 the congestion immediately adjacent to our home, so we're
20 very concerned about preserving the way of life that we
21 were seeking when we moved to San Clemente.

22 We have looked at the different options that
23 they are currently considering, and we of course would
24 prefer that they simply go with the expansion of the 5
25 freeway to help eliminate some of the traffic and

1 congestion. If that is not possible, then of the toll
2 road expansion options that they are looking at, we would
3 support the far east or the far east modification
4 versions solely because they seem to have been well
5 thought out, and they don't look to have a direct impact
6 on the homes of people that are living there, or the
7 quality of life for those people who have been residents
8 of San Clemente. It seems as though the impact to the
9 state park would be minimal, and while we don't really
10 support any expansion of the toll road, that would be the
11 more preferred option.

12 One of the other things that we've enjoyed in
13 San Clemente is right now there are a lot of open spaces
14 near our home where we actually can hike and ride our
15 bikes and walk, and with the toll road expansion that
16 they are looking at, this would eliminate all of those
17 areas, so there would be a pretty significant impact to
18 the residents of Compass Point that are in Forest Ranch
19 area.

20 I think that's everything I had to say. I just
21 appreciate the opportunity to provide feedback. Thank
22 you.

23 One of the main concerns as a resident is that
24 with the increased traffic and congestion and noise, we
25 feel it would have a direct negative impact on our

1 property values, and that we would have a difficult time
2 selling our home, if in fact we chose to relocate, and
3 that's one of the primary reasons we oppose the toll road
4 is simply because we really saved up and invested in the
5 community, and we want to stay there, and we fear that if
6 this happens, it's going to reduce our quality of life,
7 cause us to move, and then we would have a negative
8 impact because we would not be able to get our money back
9 out of our property.

10 CHRIS MALLOY: My name is Chris Malloy, and I
11 live in South San Clemente, and I prefer no toll road.
12 If they go through the east corridor is the best. Less
13 disruption of our area and the property values. We spent
14 a million dollars to buy a house, and one of the
15 alternatives is to have an exit on La Pata, and if that
16 goes through, our property values are just going to
17 bottom out, fall apart. There is really no businesses or
18 reason for an exit there at La Pata. I think Pico and
19 the further south and east corridor alternatives into
20 Camp Pendleton and the Marines and -- and having some
21 exits for them, some off base housing for them, east of
22 that area.

23 My preference would be the I-5 expansion, it's
24 already there, rather than disrupting all of the nature
25 and everything from here south. Right now there's hiking

1 trails all through our area, and there is lots of nature
2 to see and experience, and all that would be disrupted if
3 it continues further south. Thank you.

4 ADA MILLER: Ada, A-d-a, Miller, M-i-l-l-e-r,
5 and I just want to say that we have too many toll roads
6 already. We don't need another one. We need a way of
7 taking care of congestion that will benefit all people,
8 not just those who are fortunate enough to be able to pay
9 a lot every day to make a round trip on another toll
10 road.

11 And we need to save our state parks, and this
12 toll road will devastate one of the state parks that is
13 used probably as much, if not more, than any other state
14 park, and it is used by people from all walks of life,
15 not just those who have plenty.

16 And we need to save the area for our own
17 environment, for our air, for the wildlife, and we need
18 to take care of what we have and not destroy any more of
19 it than we have already. And we just need to save, save
20 our parks, save our environment, save our beaches, and
21 save our land without the concrete. How's that?

22 MARY D. STEPHENS: My name is Mary D. Stephens,
23 and I live at 26 Willow Grove in Irvine, and I've been in
24 nature conservancy for five years, and I've always been
25 interested in the environment, and I moved to Orange

1 County, and I've seen it clog up and develope, and I'm
2 very disheartened at the encroachment of urban sprawl,
3 and I think that this last bit of a toll road had better
4 not go through. It's the most environmentally sensitive
5 habitat. This coastal sage scrub is as biologically
6 diverse and as endangered as the rainforests, and as we
7 allow for the extinction of our endangered species, we
8 limit our access to knowledge, we limit our access to new
9 drugs that may be developed, and we don't know the impact
10 of the loss of any one.

11 For instance, there is low incidents of Lyme
12 disease in the Orange County, and it is thought that part
13 of that is due to the fence -- there's a common fence
14 lizard because the tick nymph hosts on the fence lizard
15 in the west and on birds in the east, and being a
16 cold-blooded creature it does something to the bacteria,
17 so the loss of one common lizard may cause us to have a
18 disease going we don't now have. That's one example of
19 the ways in which we don't know the impacts of losing
20 anything.

21 Secondly, if we put this toll road through, we
22 are destroying mitigation that was from the environmental
23 protection act. The -- it will go right through the
24 Donna O'Neill Land Conservancy which was mitigation for
25 the Talega housing development. The toll road will run

1 right through that, so we will be destroying the land
2 that was mitigated to allow for development that already
3 happened.

4 And also, the San Mateo Campground, which will
5 be impacted, it's one of the top 10 most utilized
6 campgrounds, and that was mitigation for the building of
7 the power plant. So we are destroying our preserved
8 lands that were preserved so that we could develop.
9 we're threatening biological diversity, we're increasing
10 pollution to have toll roads go through sensitive habitat
11 that larger predators can't get through, and some of the
12 environment becomes unbalanced. The secondary consumers
13 overwhelm their resources, and then we no longer have a
14 wild land.

15 The wetlands that used to cover two-thirds of
16 the county are now down to less than 1 percent of the
17 county, and that's a major cause of pollution in our
18 beaches, because those plants are natural filters for the
19 things that come from inland. Besides, we're having more
20 development inland which causes more pollution, and now
21 we have less filtration for it. We are threatening open
22 land that creates oxygen to ameliorate our air pollution
23 that filters our water.

24 And if we must have traffic going through, our
25 best solution would be to build to widen the 5, because

1 it's the least damaging, it's already through sensitive
2 habitat, it's already impacted. I mean it's not through
3 sensitive habitat, it's through already impacted habitat,
4 and it's universal access. It allows everyone to travel
5 on it, there aren't any tolls, so we won't be building a
6 road that's only for the rich people who can pay
7 ever-increasing toll fees. It won't be encouraging
8 people to move here and commute long distances. The toll
9 road on the 91 freeway had to be taken over by the Orange
10 County Transit Authority because of the noncompete
11 agreements that were creating congestion when the toll --
12 when the traffic got off the toll road. They couldn't
13 make it a viable -- a viable artery, and I predict the
14 same things will happen with this.

15 In conclusion, I would just like to say that we
16 are not -- we are not inheriting this land from our
17 ancestors, we are borrowing it from our descendants, and
18 that we should be proud of our legacy.

19 KARL P. WARKOMSKI: It's Karl with a K, middle
20 initial P, last name Warkomski, W-a-r-k-o-m-s-k-i. I'm
21 mayor pro temp for the City of Aliso Viejo. A-l-i-s-o,
22 Viejo. And I wanted to give my input on the 241 South
23 extension.

24 First, I want to start with an economic input.
25 I don't want to create a two-tier transportation system

1 that creates haves and have-nots. I still consider the
2 toll roads as a transportation mechanism that only some
3 people can afford, and I feel they deliberately cause
4 congestion on the free roads based on their noncompete
5 agreements. That toll roads would not be successful
6 unless traffic was deliberately congested on the free
7 roads that are adjacent to the toll roads, and no one
8 would ride them. But what it causes, the people who can
9 afford to take the toll roads getting stuck on the free
10 roads and getting deliberately caused extra congestion
11 that wouldn't necessarily be there if the noncompetes
12 weren't in place and improvements had been made.

13 From a regional standpoint, I think the I-5
14 widening has a much better overall result when it comes
15 to mobility and efficiency. I think the affordability
16 component is skewed, and I think that Transportation
17 Corridor's estimate of their costs are deliberately low.
18 And when we look at the overall projections based on the
19 entire economy, everything from tourism to small
20 businesses to traffic congestion, I think the I-5
21 alternative is the best. It has the ability to allow
22 everybody to take it without discrimination based on
23 income level, and I think from a public policy
24 standpoint, the best alternative is the one that everyone
25 can use.

1 I don't think the 241 has only economic impacts,
2 I think there are biological environmental impacts. For
3 it to cut through two parks, one being a top 10 most
4 visited state park, and the other being the land
5 conservancy, both of which were mitigation for other
6 impacting projects. Camp -- the San Onofre State Park
7 was mitigation for the power plant, the nuclear power
8 plant. The land conservancy was mitigation for the
9 Talega development, and to have us take the mitigation
10 that was put aside for impacts to being annihilated by a
11 road makes absolutely no sense, and for that to be their
12 preferred alignment is inconceivable from an
13 environmental standpoint, given the fact that that area
14 of inland Orange County is one of the biodiversity hot
15 spots on the globe where the most species based on land
16 availability are concentrated, it is not in our best
17 interest globally to eradicate those areas that have the
18 highest level of diversity.

19 DAVID BENDALL: I'm David Bendall, and I'm here
20 to speak against the toll road being built. I think it's
21 a betrayal of public trust, and it is -- it's going to
22 impact the congestion -- it's not going to relieve the
23 congestion on the 5, and while it's going to impact San
24 Onofre State Park, and it's basically going to public --
25 it's going to impact Onofre State Park, basically ruining

1 it because it's a long narrow state park and this road is
2 going down the middle of it long-wise, so it's basically
3 we're going to be giving over a major state asset to a
4 party enterprise with no compensation.

5 Our hopes of ever being turned over for public,
6 that hasn't proved to be the case in the 73 which will
7 never be turned over to the public because they
8 over-estimated the public usage, and the projection --
9 their own projections for this one is even worse than the
10 73 was, so there is a good chance it never will become a
11 public asset.

12 Developing a two-tier system is developing a
13 system of transportation for the haves and the have-nots.
14 I think that's undemocratic, I think that goes to the
15 very core of what this county is about, that to have two
16 transportation systems, it's like the old roads that they
17 used to have in medieval Europe where the king and
18 noblemen could go on one road, and the peasants would
19 have to take another road.

20 If you look at any of these alternatives, they
21 are black spots on the 5 where people will be delayed for
22 hours. That won't happen if the public money is spent
23 where it should be on the -- on widening the public
24 infrastructure, the I-5, widen it instead of being
25 siphoned off to this toll road.

1 This -- the public money that was spent on the
2 73 was actually very, very significant. They promised
3 that that road would be built from private money, but
4 Caltrans had to take care of water quality issues. They
5 signed off on it before they should have, and they
6 actually ended up costing public government -- the actual
7 government millions of dollars to pay for a road that
8 those citizens who paid for those taxes are not allowed
9 to use unless they pay significant extra money, and that
10 is unfair. That's taxation without representation. We
11 have to pay for those roads. Not one single cent of
12 money from public money should ever be used for a private
13 toll road to subsidize this, which will not help our
14 transportation but will reintroduce smog and limit our
15 biodiversity, our natural heritage.

16 This road will go through an Indian burial
17 ground and the tribes around here will be impacted. They
18 will actually have to dig up the corpses of these people
19 and re-bury them and move them, and it would impact
20 various archaeological sites. My sister is an English
21 archeologist. She works at Cambridge, and she goes to
22 Greece, and when I told her about the destruction of some
23 of these hieroglyphs and these caves here, she thought we
24 were absolutely barbaric. That would never be allowed in
25 Greece anymore. Maybe in past years, but not anymore.

1 But this is just such a huge mistake, so I would
2 just encourage an alternative, and the alternative about
3 building this road.

4 One thing -- this is a really important thing,
5 there were these lists of alternatives here, well, the
6 alternative that was very noticeably absent was the
7 possibility of increased public transportation. There
8 should have been a public -- there should have been a
9 comparison of what it would cost if we built additional
10 rail lines, rail links, and people actually do --
11 actually really do use those links to San Diego. I know
12 people, software engineers, you know, they are not just
13 used by poor people, they are used by everyone, and those
14 can be expanded, and those can also take money off the --
15 take traffic off the 5, and they can probably be done far
16 cheaper.

17 Finally, there should never be allowed to be a
18 noncompete. I smell a noncompete going in this thing,
19 there were noncompetes with the 91, other things that
20 money -- that can actually -- the 73 will have a
21 vested -- the toll road will have a vested interest in
22 causing congestion on the 5, not relieving it, because
23 the more congestion they can make on the 5, the more cars
24 will be using their toll road, which will cost, I
25 believe, \$18 round trip per day, which is a sizable

1 amount of money. So I would just hope that reason rules,
2 and that this does not actually go forward. Thank you.

3 CONNI VANBILLIARD: So my name is Conni
4 vanBilliard, and my statement is, I am vehemently opposed
5 to the creation of the Foothill-South toll road. In
6 particular, I am opposed to FEC-M, FEC-W and the A7C
7 FEC-M alternative, all of which cut through the Donna
8 O'Neill Land Conservancy and the San Onofre State Beach.

9 The negative impacts of building a road through
10 this location are significant and far outweigh any
11 possible benefits. There is no need for a road in this
12 particular location. I am deeply concerned that this is
13 simply a way for builders and contractors to develop one
14 of the last open spaces in Orange County.

15 This was the pattern for the 241 North, as well
16 as the 73 toll roads. First, an unwanted and unneeded
17 road was put in place, and then the building began. The
18 areas around the 241 North and 73 toll roads are now
19 completely built up. This is not the Orange County that
20 the citizens of South Orange County want to live in. We
21 would like to have at least a small reminder of why we
22 live in Orange County in the first place, and I promise
23 you, it is not because of new development.

24 When my parents moved here from Los Angeles 32
25 years ago, it was to provide a better life for their

1 children. We moved to the country with large natural
2 open spaces, but the Orange County of my childhood has
3 quickly disappeared in spite of the protest of the vast
4 majority of Orange County citizens. We are tired of
5 being bullied into development projects that hurt our
6 home and negatively impact our living environment. The
7 time has come to stop and save the last open spaces
8 including the Donna O'Neill Land Conservancy.

9 I often hike and attend special programs at the
10 Donna O'Neill Land Conservancy. It's one of the last
11 open and protected spaces in Orange County. Putting a
12 toll road through the middle of this conservation would
13 ruin the whole point of having it. Besides the visual
14 impact of having a large road cutting through the middle
15 of the park, the toll road would cause the needless
16 slaughter of protected animals in one of their last
17 places of refuge. Insisting that small underpasses will
18 prevent this is ridiculous as was evident with the well
19 documented deaths of many animals, both large and small,
20 on the 241 North and the 73 freeway, and these are just
21 the impacts on animals that can be obviously seen, not
22 the ones that can't.

23 Then, of course, there's the impact of oil and
24 chemical runoff into the soil, an issue that has never
25 been solved adequately. This impacts the need of plants

1 and affects their natural growth patterns, as well as
2 having a negative impact on our water table.

3 Also of concern is the increased air and noise
4 pollution. One of the greatest joys of visiting the
5 conservancy is finally experiencing silence without the
6 sound of cars and crowds of people. Obviously a road
7 running through the middle of the conservancy would have
8 a huge negative impact.

9 Many of these same concerns exist for the San
10 Mateo Campground. Over the years, I have camped at San
11 Mateo Campground with my family. Putting the toll road
12 in close proximity to the campground would essentially
13 ruin it.

14 Finally, there's the impact on Trestles. The
15 DEIS/SEIR needs to really admit the negative impact that
16 a toll road would cause to one of the last natural and
17 clean beaches in Southern California. Sediment flow
18 changes caused by the toll road alone can change the
19 natural beach flow and irrevocably ruin the surf break
20 considered by many to be one of the best in the world.
21 Any building that results from urban sprawl attached to
22 this toll road will create urban runoff that will make
23 our beautiful Trestles unsafe for surfing like so many
24 other beaches. What a ridiculous place to build an
25 unneeded toll road.

1 It's time for Orange County to explore creative
2 options to improve traffic conditions that do not include
3 building more roads. These options must be explored and
4 developed. More roads only increase building sprawl,
5 this in turn increases traffic, a vicious cycle we must
6 break now while there is still a small amount of open
7 space. We want to stay open -- we want it to stay open
8 for the preservation of our quality of life.

9 For these reasons and many more, I have
10 vehemently opposed the development of the Foothill-South
11 toll road in San Clemente.

12 I am reading on behalf of Allen L. White:

13 "To whom it make concern, this is written in
14 unqualified opposition to the Foothill-South toll road. I
15 feel it is unnecessary and will be completely detrimental
16 to the open space, wildlife, air and water quality, and
17 other aesthetic and philosophical -- sorry, and
18 philosophical values I hold dear. I am a 57-year Orange
19 County resident, hiker, camper, ocean explorer, and
20 semiretired businessman and school teacher.

21 This road will contribute to the congestion and
22 over-development of South Orange County. People need
23 places to live, but they must be encouraged to limit the
24 size of their families and especially the size of their
25 residential lots and distances from their place of work.

1 Urban sprawl must be stopped, and it must be stopped
2 here, in the area the proposed toll road has been
3 stated -- slated to devastate. The roads engender more
4 and more roads and more congestion, but the environment
5 not be maintained if this continues.

6 We are related to the Cleveland National Forest
7 and the San Mateo watershed, and our community is located
8 here, and we have already been degrading the habitat of
9 the native plants, animals, and bird species that have
10 made this area their home for hundreds and perhaps
11 thousands of years. Such development has gone on for
12 long enough. Let us keep our air and water unpolluted --
13 no less polluted than they already are. Let us safeguard
14 all of the wildlife, but especially the endangered
15 species living amongst us. Let us stop all road and
16 further construction in open areas and let us begin
17 forthwith. Abandon these foolish plans for more toll
18 roads. The only choice is the preferred no build
19 alternative, and this must become, if it is not already,
20 a part of your deliberations.

21 Thank you for this consideration. I am
22 respectfully yours, Allen L. white.

23 (Exhibit submitted by speaker VanBilliard.)

24 CHRIS LEVENSON: My name is Clifford Levenson,
25 L-e-v-e-n-s-o-n. I live in Costa Mesa, California. I'm

1 a taxpayer, I'm a voter, and I am opposed to the creation
2 of the Foothill-South toll road. I'm -- actually I have
3 reviewed the summary of the environmental impact
4 statement, and I am opposed to any of the alternatives
5 except the no action alternative.

6 The impact statement says the purpose of the
7 toll road is reduce the congestion on I-5. I believe the
8 way to reduce the congestion on I-5 is to reduce the
9 automobile traffic, which can be done by carpooling, by
10 encouraging other forms of public transportation. The
11 long term solution of the congestion on I-5 is not to
12 build more roads, it's to encourage people to use their
13 cars less, and to develop ways of transportation that use
14 less cars. Sooner or later we have to face that reality.

15 I'm aware that part of the reason the toll road
16 is asked for is that there is large residential
17 developments planned for South Orange County. It's kind
18 of a catch 22, you need the roads for the development,
19 and you need the development for the roads. Both of
20 these are unacceptable, and I am opposed to those as
21 well.

22 The solution to the problem presented by the
23 impact statement is to reduce automobile traffic, not to
24 increase roads for automobiles, so I am opposed to any
25 new toll road construction in South Orange County.

1 JULIE GAUTREAX: My name is Julie Gautreax, and
2 I oppose the toll road, because I oppose further
3 development. As a resident of San Clemente, I've already
4 seen what the development within like the last four to
5 five years has caused, and I'm really concerned with the
6 quality of living in San Clemente itself, as well as with
7 southern California in general. I just feel that we need
8 to move more towards a mass public transportation. I
9 think that there is third world countries that have
10 better mass public transportation than we do in the
11 United States, and it's really embarrassing, and I just
12 think that we should not consider more freeways. More
13 freeways mean more homes, more homes mean more pollution,
14 more pollution means more problems within our ocean and
15 ecosystems. So at this point I just really feel like we
16 need to put a stop to it. Thank you.

17 UNIDENTIFIED SPEAKER: My name is Jeff. I've
18 lived in San Clemente for 30 years. I've surfed San
19 Onofre and Trestles Beach for nearly all of that 30
20 years. I'm against any toll road or any road expansion
21 in South Orange County at all. Just against it, no.
22 Thanks.

23 REGINOLD VANGLASCOE: My name is Reginold
24 vanGlascoe, and I feel I would say no to any toll road.
25 I oppose any toll road from coming down to the Trestle

1 area or -- how do you say that area, South San Clemente,
2 because I feel that we have enough building in that area,
3 that it's already been over-populated in the back country
4 down there, and if we have a toll road that goes right
5 toward the beach area, that would make much more traffic,
6 slow traffic down, become environmentally hazardous due
7 to pollution, and -- to the air and the environment too,
8 and it's like I think that we have to find alternative
9 means for people to come to the beach or just use the
10 same old roads we're using, I guess the 5. And I know
11 it's kind of messy, but in the long run, the reason I
12 oppose it is because it would be environmentally unsafe
13 for our conditions, and we should try to keep what little
14 natural beauty that we have near the beach and keep the
15 wetlands that's already there. Thank you for your time.

16 DIANE HENNESSY: My name is Diane Hennessy,
17 H-e-n-n-e-s-s-y. I believe it's time to take a stand for
18 our planet. Business and developers don't care about the
19 impacts they are making on our environment. They are in
20 it for the money, and I hope to add my voice to those who
21 want open space and clean oceans for our future
22 generations. Amen.

23 LYN HARRIS HICKS: My name is -- I'm Lyn Harris
24 Hicks of San Clemente. I have lived in San Clemente for
25 almost half a century, and I have watched the gradual

1 deterioration of the quality of life of our village, the
2 people in our village to the extent that we can sometimes
3 not even traverse the roadways to get in or out of our
4 community.

5 And I think that a capable -- an adequate EIR
6 must have assessment that reaches beyond the immediate
7 area of the proposed routes to consider the effects on
8 the entire area. That the faulty reasoning for a toll
9 road at all is that it will relieve the transportation
10 congestion of existing roads, when our experience has
11 been in other places that the advent of a main
12 thoroughfare through the wilderness areas, as it were,
13 brings considerable development. The estimate is that we
14 might have a city sized development along that, at which,
15 in turn then, provides additional automobile traffic on
16 the other roads which were already impacted, so that
17 it's -- it's sort of a belief in the advocates -- in the
18 advantage of another road, which is not true. It's only
19 a Band-Aid, because it's only temporary.

20 Although those of us who are here now would like
21 a temporary fix as it were, I think that in doing an EIR,
22 it's very important that the people who do it are
23 thinking in terms of the long range as well as the
24 immediate and the effects, the impacts. It's a study of
25 impacts, and the impacts on transportation on roadway

1 availability, all of those things, must be broad in its
2 assessment.

3 And the same way, I think the foundation of an
4 adequate EIR in this kind of a situation, which is really
5 unique, is an assessment of the carrying capacity of the
6 numbers of persons, and consequently, houses and cars and
7 people who work there, and services and so forth, can
8 take, because our area there is already so developed that
9 we are becoming another Los Angeles. And we -- the
10 people who live there, many of them move from places --
11 not Los Angeles, places like Los Angeles, so that we
12 could get away from that so that we could get quality of
13 life.

14 And for the most part, the people who live down
15 there really paid a great deal to have a little bit of
16 quality of life that they don't have in other areas. And
17 it's -- it is a -- my husband says it's robbery. It's a
18 fraud on the people who are there for us to bring in huge
19 new cities that will impact our community. It's not just
20 a matter of the congestion, it's a matter of air quality,
21 water quality, beach quality.

22 We know that our beach there, the San Mateo --
23 at the base of the San Mateo watershed is the only clean
24 beach in the coast. People travel great distance to go
25 to the beach, and then they find a sign that says it's

1 polluted, they can't use it. And we are rather remote,
2 and people don't know about us yet much, and yet we still
3 are really jammed. The beaches are jammed in the
4 summertime, and the beach -- the state park, I think that
5 the EIR must present the use of the state park facilities
6 as an element, a way between what is worth -- what damage
7 is worth the perceived advantages to the toll road
8 organization. It's a matter of balancing the personal
9 desires for profit of the toll road owners against the
10 quality of life and the needs of the people who live in
11 that whole south county area.

12 When we talk about the matter of the beach, the
13 quality of the beach, we have not found any example --
14 any example where mitigation measures have been able to
15 preserve the pristine quality of our watershed. There
16 is -- they can put in huge expense to try to filter out
17 and so forth, but the EIR must make an assessment at
18 least of the pollutants which will not be able to be
19 filtered out, so that that -- some kind of requirement
20 will be made to -- to have other ways of protecting that
21 San Mateo Creek.

22 The San Mateo Creek should be a conservancy, a
23 preserve area itself. It's our fault that we have not
24 made it a conservancy, but the agencies which -- that we
25 have to protect us from this kind of encroachment I think

1 have the responsibility of helping to determine that type
2 of decision, of what areas should be preserved, what
3 areas to be protected and why.

4 And the -- our beaches are such a precious part
5 of our resources, our public resources. We all own those
6 beaches, and the waiting lines to get into the
7 campgrounds are always long and filled up way ahead, and
8 for them to destroy that beautiful campground, is to me
9 singly unmitigatable. I mean there is no way that the
10 toll road people could buy a replacement for that lost
11 availability of quality of life experience in the
12 campground.

13 There is so much more, but I think that, to me,
14 is the most important factor, that the EIR must say
15 specifically -- if they say that it can be mitigated, the
16 damage to the campground can be mitigated, which of
17 course would, I mean who wants to -- who wants to do a
18 campground experience under a freeway. If they say it
19 can be mitigated, that it's not sufficient to cause them
20 to disallow the route or whatever, then they must provide
21 specific mitigation properties that the toll road owners
22 must provide to do mitigation for that, and I don't think
23 they can, because these are precious irreplaceable
24 values.

25 Our conservancy area is one of the most precious

1 in the country, and the state park campground area, that
2 has only been developed a little. That is parcel one of
3 San Onofre State Park, and it goes six miles inland
4 there, and it has the potential for being a tremendous
5 asset to the public, and they are running -- they are
6 proposing to run this freeway right down the length of
7 it. Okay. Thank you.

8 WENDY RAND: My name is Wendy Rand, I live
9 actually out here in Rancho Santa Margarita where the end
10 of the toll road is right now. I've seen this area
11 developed in the last four or five years, and It's been
12 over-developed. There's no place to go anymore. I do
13 surf, and I do surf down in San Clemente. I enjoy the
14 peace and the quiet and just the beauty of the
15 environment, and I'm afraid that if the toll road is
16 extended down to San Clemente, the traffic and the
17 increase in population, the increase in people traveling
18 through and to that area is going to destroy it. It's
19 going to damage the water quality, we're not going to be
20 able to surf there anymore. They have already done it to
21 Doheny, to Dana Point. It's one of the few remaining
22 clean beautiful beaches in California, and we don't want
23 to ruin it. It's not always all about money. We need to
24 save the environment too. That's it.

25 REBECCA ROBLES: My name is Rebecca Robles, I

1 live at 119 Avenida San Fernando, San Clemente,
2 California. I live very close where the -- I live
3 blocks -- probably one-quarter of a mile from where the
4 241 South connection would be. I am vehemently opposed
5 to the toll road. I have many reasons for it. Okay.
6 Personally, I don't think it's the correct solution to
7 the traffic problems that we have. I realize with the
8 increase in population, that, you know, roads and
9 solutions need to be made for transportation. I support
10 a Bart-like system along the I-5.

11 Through my mother, I'm a member of a tribe. The
12 site that the toll road would go through at the San Mateo
13 Campground is an ancestral village. It's the village of
14 Panhe, P-a-n-h-e. In the 1790s when the Spaniards came
15 through, one of my grandfathers was baptized at that site
16 at San Juan Capistrano, so we know that that's a sacred
17 site, we know that it's a burial site with human remains
18 there. It should not be disturbed, and so because of
19 that historical, spiritual, and cultural connection with
20 that site, which is unique, I think that the -- I oppose
21 the toll road going through that site.

22 But on a contemporary and intellectual level, I
23 know that building more roads won't -- the problems that
24 they will cause won't correct the -- isn't the correct
25 thing to do. I oppose the -- I think the EIR analysis

1 related to the cultural information there is inadequate.
2 I oppose the destruction of Trestles Beach, the pollution
3 that will come from the -- from the building of the road,
4 that the increase -- the increase in development that
5 will come along with the development of the South -- the
6 241. I also think that -- I also think that the building
7 of the 241 will just promote the development of more
8 homes. The quality of life will be destroyed in South
9 Orange County.

10 As a Native American, we have -- we have -- we
11 have responsibility to speak for the ancestors, the
12 people who came before us and the people that are coming
13 behind us. We have responsibility to speak for seven
14 generations before us and seven generations behind us,
15 and so I oppose this.

16 I oppose this development, I oppose the building
17 of the 241. I ask you to open your heart and to hold
18 in -- to hold that this is not the solution to the
19 problems that we have. I ask -- I oppose the development
20 of the 241, the connection of the 241 through San Mateo,
21 through the -- through the area there. That site's
22 unique, and it needs to be protected. Thank you very
23 much.

24 RONALD RODARTE: Ronald Rodarte. I am a
25 long-time resident of Dana Point, and I have a comment to

1 make. There is a consensus in Orange County that the
2 Foothill-South toll road is nothing more than a
3 boondoggle that will allow huge expansion of housing
4 tracts in the last environmentally intact land in Orange
5 County.

6 Furthermore, other huge resources will be
7 destroyed in producing this boondoggle. Trestles Surf
8 Break Beach will be destroyed as a side effect. San
9 Mateo Campground will be rendered unusable, and the
10 campground is the last of the beach campgrounds that will
11 ever be developed in California.

12 The detrimental effects of the Foothill-South
13 toll road by far outweigh any conjectured benefit offered
14 by the developer toll road commission. There can be no
15 doubt that the Foothill-South toll road will become the
16 same losing entity that the San Joaquin toll road is.
17 Financially, environmentally, ethically, and in popular
18 opinion, the development of the Foothill-South toll road
19 is negative in all respects. Thank you.

20 DAN FARRELL: My name is Dan Farrell, and this
21 is my son Jay. We have been Pacific Coast Highwaymen for
22 25 years. We moved back to California in the immediate
23 aftermath of involvement in the evacuation of Three-Mile
24 Island. In addition to all the other reasons given
25 against the toll road, the idea of layering more people

1 in an area that cannot be safely evacuated is insanity
2 from our perspective. Respectfully.

3 DONALD SLAVEN: Donald Slaven, I'm with the
4 Huntington Seal Beach chapter of the Surf-Rider
5 Foundation. I live in Huntington Beach, I've been a
6 resident of Orange County since 1968, and basically I'm
7 here to say no more toll roads. Stop the development.

8 The state of California has projected to be 50
9 million people by the year 2020, and even with these
10 types of roads, it's not going to do anything to
11 alleviate the transportation problems. Really, what the
12 problem is is they need to put some controls on growth,
13 population.

14 I'm here to protest the road, especially because
15 it's going to go through public state lands, state park
16 down here, Trestles, San Onofre. We're facing urban
17 runoff problems in Huntington Beach, which our chapter of
18 the Surf-Rider Foundation has been fighting for the past
19 10 years, and we don't want this to happen down in the
20 pristine areas of southern Orange County. And basically
21 that's all I have to say. Our chapter is on record as
22 opposing this road. It's also opposed to any damage done
23 to the state parks that belong to the State of
24 California, and we urge the state park to take a firm
25 stand to protect the public property. Thank you.

1 CURTIS ZAVODNY: My name is Curtis Zavodny. I
2 am affiliated with the Surf-Rider Foundation, and I would
3 just like for the record to say that I'm opposed to the
4 Foothill-South, any type of extension. I feel it would
5 degrade our quality of life and disrupt our beaches and
6 state parks and pretty much ruin the open space that we
7 moved down here to cherish.

8 So I hope that Transportation Corridor Agency
9 will take this to note and not build an extension at all,
10 but rather maybe consider other alternatives such as
11 lightrail systems or extensions of the railroads.

12 JERRY BRUNET: My name is Jerry Brunet, I'm a
13 native of California, and I'm not just anti-toll road,
14 I'm worried about the development in this area and our
15 resources for water, clean water, and I think this toll
16 road is a toll road for the rich to go to the expensive
17 homes, and it's going to cost \$10 even to take the route
18 one way, so we definitely don't need it. Thanks for your
19 time.

20 DAVID PARKER: My name is David Parker. I live
21 in the City of Orange. I've been a resident of Orange
22 County for about 14 years now. I have seen over the past
23 14 years a number of infrastructure improvement projects
24 come into Orange County, 55, 241, San Joaquin, 91, and I
25 think this falls into kind of the same -- same category

1 of an improvement that's really going to help the
2 residents of Orange County.

3 I live -- or I work, excuse me, in Aliso Viejo,
4 so I spend a lot of time in South Orange County, and I
5 also commute to San Diego at least once a week. I think
6 the 241 is going to be a major -- major improvement for
7 the Foothill-South extension to -- to Orange County, so I
8 just want to make a comment that I'm in favor of one of
9 the three eastern most alignments that -- either of the
10 two far east options or the alignment 7.

11 I understand the issues regarding the impacts on
12 the environment and the open space, wildlife, I have seen
13 the environmental impact report. However, I think there
14 is a quality of life issue here that's going to be taken
15 into consideration in terms of how much time we spend on
16 the freeway, so I just want to register my comment in
17 favor of one of the three alignments for building the new
18 toll road. Thank you.

19 MARYANN TUCKER: Maryann Tucker, T-u-c-k-e-r.
20 I'm against the toll road being built, because it's going
21 to create more development, more housing and more
22 congestion, more air pollution, more big truck traffic,
23 and any alignment that they choose is going to impede
24 over the new houses that were built up in the Talega, or
25 it's going to impede the wildlife and the surf at

1 Trestles.

2 At Trestles, it's going to really make that seem
3 like, you know, Huntington Beach or something, very
4 congested, and plus the birds and the steelhead trout,
5 the gnatcatcher and the wildlife.

6 And I -- my option that I would choose is widen
7 the 5 freeway. They are going to have to widen it
8 anyway. I would just say, I know they are going to have
9 to take out some houses there, but they are going to have
10 to widen it anyway, so just widen the freeway, because I
11 feel that this development -- this toll road is a
12 developer's dream so they can build more houses under the
13 guise of relieving traffic. And also it's going to be a
14 rich person's road. That the average Joe Blow won't be
15 able to afford the toll to get to work or wherever
16 they're going. That's it, thank you.

17 LANCE READ: I am Lance Read, R-e-a-d. Land use
18 decisions should not be made primarily by developers.
19 Quality of life is not enhanced by continually expanding
20 residential and commercial development.

21 As evidenced by coyote and mountain lion
22 appearances in residential areas, habitat for wild
23 animals has been greatly reduced. Eventually, the whole
24 natural environment will be barely recognizable and human
25 beings will be left in an inhospitable world that man has

1 destroyed.

2 Unneeded infrastructure like the toll road
3 extension should not be supported. Rather, innovations
4 in mass transportation, as evidenced by those already in
5 place in several countries outside of North America,
6 should be furthered with maximum speed and energy.
7 Intelligent transportation methods should trump toll road
8 development. Why tear up the natural environment when
9 other transportation solutions are already in evidence in
10 some parts of the world. That's it.

11 SUSAN READ: My name is Susan Read, and my
12 children surf at Trestles, and I think we should find a
13 way to move people around the county that doesn't pollute
14 the air and water and ruin our beautiful countryside.
15 Dependents on the gas-driven vehicles should be phased
16 out and other ways found to get people from here to here.

17 GREG SUMTER: My name is Greg Sumter. I'm a
18 resident of Dana Point, California, born and raised in
19 this area, South Orange County area, and I've seen way
20 too much needless development. It's impacting no one but
21 the rich and greedy, and unfortunately it's sacrificing
22 our open spaces and some of the last untouched beauty we
23 have in the area. And in this particular situation, we
24 cannot afford to pollute San Mateo Creek, our last
25 unpolluted creek in South Orange County, possibly in

1 Southern California.

2 Our watershed is pure at the moment because
3 there is no development in the area. With this toll road
4 going through there, it would be devastating with the
5 urban runoff. We just cannot let it happen, so we, as
6 children of earth, are begging the developers to take a
7 look at the future of our children, and also to open the
8 eyes of mass transit, which we do not have any kind of
9 public corridor in this area at the moment, and that
10 really be part of the cure instead of the disease for our
11 future. And let's not forget that without earth, there
12 is no heaven. Thank you.

13 JEREMY MASON: Jeremy Mason. My statement:
14 There's so much too say, but the most important thing is
15 to at least protect what few land resources that we have
16 in Southern California, specifically Orange County.

17 There -- and I know -- I'm sure enough people
18 have said that this is -- the San Mateo River is only one
19 of two rivers in the State of California that actually
20 has free flowing river to the ocean, that has steelhead
21 that actually spawn and breed, and as of recently, there
22 was a period of time where they didn't -- they weren't
23 spawning or breeding in the river because of some of the
24 farming and so forth in the past. But as of recently
25 they have been spawning and returning to the ocean and

1 coming back and spawning again so.

2 Also the different plants and animals and so
3 forth that are characteristic to this region, there are
4 talks that we'll save the specific piece of land or
5 whatever for that, but if you ruin the environment -- the
6 integrity of the environment around that, those plants
7 and animals that are living in that small piece of land
8 will eventually die off and so forth because of the
9 integrity of the land around them. So if we can do
10 something to at least save a little bit of what's left,
11 please stop the toll road and save Trestles, because it's
12 a great place to surf, and Dana Point is an example of
13 the degradation of coast line that has ruined a surfing
14 location and the geography around it. So let's say, do
15 something about it. Thanks.

16 ESTEE HUFF: My name is Estee, E-s-t-e-e, Huff,
17 H-u-f-f.

18 I have a dream to go out to the open space in
19 Orange County and not see development, just plant some
20 trees and a quiet that only nature can provide. The toll
21 road will kill endangered plants, fish, and eventually
22 animals. It would kill people's spirit to dream of a
23 simple life away from the city noise, streets, cars, and
24 golf courses.

25 This is the last open space, really. Orange

1 County has gone from the least populated area to the most
2 populated community. It will destroy the beach and our
3 lifestyle that is based around the beach. Saturdays,
4 picnics, barbecue, teenagers surfing, please do not make
5 this go away. That's it. Thank you.

6 MARILYN SIMPSON: My name is Marilyn Simpson,
7 s-i-m-p-s-o-n. I'm here to say that I support the full
8 extension of the 241. As a lands use planner and a south
9 county resident who uses the toll road, I support the
10 extension of the 241. I believe that it's important for
11 our safety and for connectivity and a departure from
12 mobility fragmentation. I think that providing for an
13 extension of the toll road will stop the dumping of
14 traffic onto the already busy city streets. We already
15 know that the population is going to grow, but we have a
16 problem now, and we need to do something about it. If
17 the extension is deferred to a future date, people will
18 demand to know why it wasn't built in the past. We have
19 to act locally for a regional issue.

20 I use the 241 as a preferred commute on a daily
21 basis, and I remember the concerns over the initial
22 construction regarding habitat destruction, noise issues,
23 and growth problems. I think the biologists, the
24 wildlife specialists, and environmentalists, engineers,
25 planners, and decision-makers did a great job in

1 cooperatively resolving those concerns. I see more
2 wildlife carcasses on city streets than I do ever on the
3 toll road, and I take it on a routine basis.

4 I don't think the concerns of the future urban
5 growth along the extension necessarily has to occur. If
6 urban growth is not projected at this time, then it
7 doesn't have to be built, so I think that concern has
8 been addressed.

9 I also think that given the state of California
10 budget crunch and the unexpected political changes, we
11 can't depend on the state for financing these kind of
12 road improvements. The failure of a recent ballot
13 measure, state ballot measure to increase the percentage
14 of state money for infrastructure improvements just
15 simply reinforces that we can't count on the state or
16 government for money for road improvements.

17 So I just want to summarize that I want to state
18 my support for the full extension of the 241, to go with
19 a no action or no project alternative or the widening of
20 I-5 alternative would be a fiscally, socially, and
21 environmental -- environmentally irresponsible act.
22 Thank you.

23 ROBERT SIMPSON: My name is Robert Simpson, and
24 I'm a resident of San Juan Capistrano and an
25 ex-transportation planner with 12 years experience, and I

1 just want to come here and state my support for the toll
2 road extension, particularly the eastern alternatives
3 connecting to the -- all the way down to the I-5.

4 And I note that the environmental concerns for
5 the current toll roads before they were built were far
6 overblown, and I expect the same to be of the extension,
7 and future population growth in Orange County will -- if
8 the toll road is not built, will result in pressure being
9 increased until the toll road extension is almost a
10 necessity in the future and it will have to be built at a
11 much higher cost.

12 The no build or I-5 widening alternatives are
13 not viable with the I-5 widening taking over 800 homes
14 and costing twice as much as a -- as the build
15 alternatives, does not seem like a viable alternative.

16 As long as the financing options are in place
17 today, I believe that the toll road extension should be
18 built, and that's all I have to say.

19 GREGORY CARL CLEMENTS: Gregory Carl Clements
20 from Laguna Niguel, and I'm a registered voter and my
21 comments are few and short. We can't stop growth in this
22 state, it's going to continue, but growth with
23 environmental responsibility is all our jobs, especially
24 this governor's. Without it, we have destruction of
25 current habitats, we have pollution, and all we have to

1 do is look at Dana Point and what happens there with the
2 San Juan Creek corridor being overly polluted, and the
3 Dana Point area being closed daily, repeat that daily,
4 being as -- listed as unsafe to swim or to take water
5 activities in there.

6 Now we're looking at a pristine area like the
7 San Mateo Creek, and in order to be environmentally
8 responsible and work with the growth, we have to take
9 other alternatives.

10 One of the major alternatives in my estimation
11 is to move the proposed toll road inland over the Marine
12 Corps and the Department of Navy, the federal government
13 must yield. This property is not that important for the
14 future of homeland security, or for what the Marines have
15 to do. All of this can -- this controversy can be
16 eliminated by moving inland, taking the freeways south,
17 having just one small bridge over the San Mateo Creek,
18 and handle the growth, handle the traffic that would be
19 there.

20 My further comment is that the toll roads are
21 simply a travesty in themselves. They bring in over 100
22 million dollars a year, and yet they can't be managed,
23 and they keep having to raise the tolls. That does not
24 go with the idea of eliminating congestion. Even with
25 these proposed toll roads merging in with the I-5,

1 congestion will be greater because of the high cost of
2 traversing those toll roads that the average person
3 coming out of San Diego, either as a tourist or as
4 somebody visiting or somebody coming from Mexico simply
5 won't be able to afford these toll roads in the out
6 years.

7 It's very easy to see 5, 10, 15, \$20 tolls.
8 Toll road is against what we do in California. And if
9 the message is going to our governor, you should run this
10 state environmentally and be the governor for the people.
11 My name is Greg Clements, and I approve of this message.

12 MADALINE NEIMEYER: My name is Madaline
13 Neimeyer, and my statement is, with the National Security
14 close to San Onofre, I don't understand why we're
15 bringing in a toll road next to a power plant. It's that
16 simple. Somebody explain it to me. Does the military
17 base need more people down there to take care of things?
18 I mean we're supposed to be at high terrorist risk, and
19 they are opening more doors for the military to take care
20 of? I don't understand. I don't understand why the
21 military is getting involved in this. Somebody explain
22 it to me. I live close to there. I don't want more
23 people. I think it should be kept as a secure clean
24 area.

25 There is no other beach like -- like that area,

1 old man's is the only pristine beach left in California.
2 I don't think we need to bring a lot of pollution, air,
3 water, or increase the security risk. That's it.
4 Federal government, state government, military, get
5 together on this. It will have an effect. That's it.
6 Thank you.

7 DEBORAH SPINDELMAN: My name is Deborah
8 Spindelman. 65 years ago my grandmother paddled out to
9 surf at Trestles on a big tandem board back when it was
10 illegal. One year ago my handicapped 13 year-old sister
11 paddled out to the same break and rode her first wave all
12 the way into shore with a little bit of help. Next month
13 I'll be getting married on a beach in San Clemente.

14 This place holds a lot of memories for myself
15 and my family. You know, the ocean is in my blood,
16 especially this little strip of land. Living in
17 Huntington Beach where I do, I'm unable to surf year
18 round without having a constant low grade illness with
19 the potential for long term autoimmune damage. And it's
20 really important to me to find a place -- I'm able to
21 surf in Trestles and not have that same illness.

22 If this -- if the toll road were to go through,
23 and the environmental impact occur in this area, my
24 sister, due to her various handicaps, will not be able to
25 surf in that area due to autoimmune problems. I don't

1 feel that getting anywhere faster is worth losing that
2 and losing that heritage. I think that's all.

3 STEVE HAUBERT: My name is Steve Haubert.
4 H-a-u-b-e-r-t. I live at 137 Avenida Santa Margarita,
5 San Clemente, 92672.

6 As a long-time resident living in south San
7 Clemente, we in the Trestles community are opposed to
8 building of the last section of the proposed 241 toll
9 road that will intersect with the Interstate 5 corridor.

10 We are opposed in particular to the following
11 alignments: The east crossover modified, the central
12 corridor alternative, the far east corridor alternative.
13 Each of the above proposed alternatives represent severe
14 environmental and physical impacts to the Trestles
15 community and south San Clemente which cannot be
16 mitigated to any level of acceptance.

17 Impacts include excessive noise, air pollution,
18 water pollution of San Mateo Creek, light and glare to
19 the Trestles community, destruction of the San Onofre
20 State Park and Donna O'Neill Land Conservancy, as well as
21 disruption to the land management practices on Camp
22 Pendleton.

23 Based upon the Transportation Corridor Agency's
24 traffic analysis, the I-5 widening alternative provides
25 the most traffic congestion reduction. This alternative

1 will benefit over 90 -- excuse me, over 29 locations
2 within the circulation study area and is by far the most
3 environmentally sensitive and least physically disruptive
4 to the Trestles community.

5 Furthermore, the I-5 alternative substantiates
6 the fact that traffic demand is being generated
7 interstate and not intracounty. Therefore,
8 implementation of the I-5 alternative is a state and
9 federal need and should be fully funded by the state and
10 federal agencies, not by the toll road.

11 Additionally, the TCA traffic study indicates
12 that the intracounty traffic demand could be alleviated
13 through the implementation of the county's arterial only
14 alternative, and not through the construction of any of
15 the Foothill-South alternatives noted above to
16 accommodate intracounty demand and further to reduce
17 congestion on the I-5 corridor, the Avenida La Pata
18 alternative would represent an enhancement beyond just
19 the completion of the county's alternative -- arterial
20 improvement alternative.

21 Therefore by implementing the arterial
22 improvement only alternative and/or the La Pata
23 improvement, the severe environmental degradation and
24 physical impacts to the Trestles community, San Onofre
25 State Park, and Donna O'Neill Land Conservancy would be

1 totally avoided. This would provide the best cost
2 benefit ratio to the community, and would not disrupt the
3 Camp Pendleton land uses and activities.

4 The environment impact report impact statement
5 was inadequate and needs to provide a detailed traffic
6 evaluation analysis of the combined congestion reduction
7 benefits of the I-5 widening/arterial improvement
8 alternative and the La Pata improvement. The revised
9 statement should include the following combination. The
10 I-5 corridor is improved one lane in each direction, the
11 county arterial improvement only alternative and/or La
12 Pata highway network is fully implemented and approved
13 simultaneously with the I-5 improvement, all TCA/Caltrans
14 noncompetition highway improvement clauses are eliminated
15 from impeding any of the I-5 corridor improvements. That
16 concludes.

17 SHANNON DAHLMEIER: My name is Shannon
18 Dahlmeier, and my husband is Greg Dahlmeier. We live in
19 San Clemente and it would be affected by the central
20 toll road -- the central decision. And I hear all these
21 speakers speak, and I just want my voice to be heard.

22 It just outrages me that -- my husband and I
23 have been struggling, we've lived in San Clemente all our
24 life. My parents lived here, I was raised here, and we
25 ultimately bought a house. We were not in it for an

1 investment, so it doesn't matter how much they give us.
2 I had cancer five years ago, we have bills left and
3 right, trying to pay it off and work, have an established
4 home in a community that helped us through everything.
5 My neighbors, everybody, brought meals, helped my
6 husband, helped us through everything, and this community
7 is our home, and we're right in the middle of the toll
8 road, and our house would not be there.

9 And even if they gave us top dollar, our house
10 was selling for a million dollars. We didn't buy for an
11 investment. We couldn't have afforded the property
12 taxes. There would be no place for us to go other than
13 out of this city.

14 And I just hope that somebody hears the voice of
15 the people, and everybody has a story. Everybody is
16 going through their own problems, and I just hope that
17 when they make those decisions to tear down the 500
18 homes, that I can only think that there is 500 other
19 families that have their own story, and I hope they
20 understand this is devastating to too many families, and
21 I hope that they choose no toll road, or one that does
22 not destroy so many homes. Thank you.

23 CHARLOTTE MCCLEAN: My name is Charlotte
24 McClean. I'm basically living in San Clemente and would
25 be completely impacted on the central corridor in

1 particular. I do not want the toll road to go through
2 San Clemente at all. The way of life would be completely
3 altered for our beach town.

4 Just -- we would have to leave our home, our
5 neighborhood, and try to find anything suitable for our
6 family, our growing family. Would be so hard. We would
7 probably have to even move out of state because of all
8 this, not including bringing in noise, pollution, the
9 other two smaller corridors, the Antonio La Pata Corridor
10 would even just bring in a lot of traffic around our
11 neighborhood and would not make it safe for our children.
12 The central corridor, I understand, would also ruin our
13 high school, which is the only high school in San
14 Clemente. I am not for the toll roads. I guess that's
15 basically it.

16 WALTER SATCHELL: My name is Walter Satchell and
17 I live at 313 Calle Sandia in San Clemente. I feel that
18 my home is in a direct path and will be one of the homes
19 that is destroyed. I am 66 years old and intend to
20 retire early next year. I'm not in a position to be
21 relocating. I gave up a vice president's job in Colorado
22 10 years ago. I declined and took a lesser paid job in
23 Los Angeles. I've been commuting, and my days run 14
24 hours, include 10 hours of work and travel. I did this
25 because of the quality of life that I have in San

1 Clemente.

2 It's very important to me that we maintain
3 something that's for the people and not just for the
4 developers. I think it's the wrong thing to do, I
5 understand that they need to build roads for
6 infrastructure, but I see as an engineer that a lot of
7 businesses are going off shore to other countries, and I
8 don't see that doing this was going to bring industry to
9 the South Orange County, and I thank you very much.

10 AMY JACKSON: My name is Amy Jackson, I live in
11 Laguna Beach, California, and I am here to express my
12 utter dismay at the use of our state parks as corridors
13 for transportation toll roads. I oppose toll roads in
14 our state, and I feel that we should have freeways.

15 I also feel that beyond that, we need to really
16 investigate and fully develop a public transportation
17 system before we look into building any more toll roads
18 or freeways.

19 I would also like to state the beautiful quality
20 of San Onofre State Park. I am a mom and a surfer, and
21 San Onofre is a gift to our country. My children have
22 learned to surf there. There is an entire surf industry
23 and lure that all is seminally based out of San Onofre,
24 and here we are looking at turning it into a huge freeway
25 interchange. This is something that is unconscionable.

1 we have a wonderful gift to our children and to our
2 future, and we're selling it short. Thank you for these
3 comments.

4 DARRYLIN GIRVIN: Darrylin, D-a-r-r-y-l-i-n,
5 Girvin, G-i-r-v, as in Victor, i-n. I'm here today to
6 oppose the new toll road, because we've seen what the 73
7 has -- was promised to do, to alleviate traffic on the
8 405 transferring to the 5 freeway, and we see the lack of
9 use of that toll road. They are now in a financial bind,
10 and with no way to be bailed out of it.

11 We've also seen the -- what's caused on the 73
12 between Newport Beach and Laguna Beach, going south and
13 north, urban sprawl, which was apparently promised not to
14 do. It's taken away more native habitat in that area.
15 Within a year of that 73 toll road going through, there
16 was an enormous flood that -- runoff that came down
17 Laguna Canyon Road into Laguna Beach which caused severe
18 damage to businesses along Broadway as well as wiped out
19 a portion of Main Beach in Laguna Beach. So that's one
20 reason that we think this toll road is going to be such
21 an immense project and cause so much damage, not only to
22 the environment and the habitat. So I say no, no, no.
23 Thank you.

24 TOM GIRVIN: My name is Tom Girvin, G-i-r-v-i-n,
25 at 1216 Glenneyre in Laguna Beach. I'm a 71 year-old

1 grandfather. My grandchildren, I would just like to see
2 them have the wildlife and the wild areas not destroyed
3 by a freeway, a toll road.

4 The main thing is that we see the 73 toll road
5 and what that's done. It's bankrupt financially, and
6 it's just destroyed the wildlife that the freeway and
7 expressway comes through. So that's our main thrust, the
8 tremendous development that goes on once the toll road
9 goes through. It just destroys the whole area, and I
10 think the impact -- the cumulative impact of all this on
11 the area is terrible. And again, I say we've got to
12 leave something for our children, because in the future,
13 they are not going to have it if we just keep proceeding
14 the way we are. So I would just like to say no on the
15 toll road. Thank you.

16 JEREMY HANDYSIDES: Jeremy Handysides. I oppose
17 the toll road because I believe it will negatively affect
18 the natural habitat. The runoffs from the toll road will
19 endanger the wildlife that's already endangered, like the
20 pocket mouse and the steelhead trout.

21 I think that Trestles Beach is one of the last
22 places in Southern Orange County that you can actually go
23 and enjoy a pristine coastline that's unaffected by
24 pollution.

25 And I think that the noise also will be a factor

1 that will be detrimental to the environment as well as
2 the people that live in the area. And that's it.
3 Thanks.

4 CAROLYN ELGAR: I'm Carolyn, C-a-r-o-l-y-n,
5 Elgar, E-l-g-a-r. I'm against the extension of the toll
6 road because I want to preserve the way of life that I've
7 come to love in Southern California. I feel we need to
8 be more responsible in regards to our respect for nature
9 and for things that are around us, and I don't want to
10 just irrationally expand pollution and transportation --
11 well, transportation -- transportation trespassing on
12 something that's been here for a long time.

13 Also, I feel that this supports our
14 oil-dependent transportation system, and we should be
15 looking at alternative ways of getting places other than
16 depending on oil that will eventually be depleted anyway.

17 JIM WILLIAMSON: My name is Jim Williamson. I
18 live in Trabuco Canyon, California, and I am opposed to
19 the toll road. I think we have a moral responsibility to
20 protect our environment, protect the biodiversity of our
21 Southern California landscape, and I think that the
22 building of the toll road will -- would be a bad thing
23 for all of the above. I'm opposed to the cost to the
24 Orange County residents to maintain the toll road, and
25 I'm very concerned about the water quality of our coast

1 due to construction of roads like this, and just want to
2 say stop the toll road. Thank you.

3 PRESCOTT COGSWELL: Prescott Cogswell, and I
4 strongly favor one of the far west -- far east
5 alternatives, and I'm from San Clemente. Probably the
6 far east modified, I think that the bond prices now are
7 good. The traffic is getting worse, and look at it today
8 on the freeway going down there, and they are in trouble,
9 so I just strongly support in favor. Thank you.

10 (Exhibit submitted by speaker Cogswell.)

11 LORE DACH: My name is Lore Dach. I live in
12 Marina Del Rey, and probably one of the furthest persons
13 from what I can tell that drove down here to participate
14 in this public hearing, and one of the reasons is because
15 my boyfriend surfs, and he would be here too except he's
16 sick because he got a throat and nose infection from
17 surfing in Manhattan Beach yesterday.

18 And San Onofre and the -- I'm sorry, the San
19 Onofre, the camping facility, we frequent both those and
20 Trestles surf, and quite frankly, I think someone needs
21 to start paying attention to what's happening to anything
22 beautiful left in California, because we've been talking
23 about moving out because it's getting so bad, and
24 probably always be someone to take our place and to rent
25 our home or buy our home, but I would hope that whoever

1 is reading these public comments, including hopefully our
2 Governor Schwarzenegger, would remember why they moved to
3 California or what was special to them, and have this not
4 be about development and money. Just save Trestles.
5 Thank you.

6 KRISS LARSON: My name is Kriss Larson,
7 K-r-i-s-s, L-a-r-s-o-n. I'm a licensed land surveyor in
8 Orange County, and I oppose this road because I think
9 it's technically bad infrastructure. I worked on
10 infrastructural projects for 34 years including a lot
11 with MTA and Los Angeles, and I know what makes sense and
12 what doesn't, and this does not make sense. It sets a
13 very bad precedent of destroying the already set aside
14 land strictly for the population pressure for other
15 reasons. That could set a bad precedent for other
16 places, so that's what I want to say.

17 DIANA PHELPS: I'm Diana Phelps. I've lived in
18 Orange County for 35 years and retired to San Clemente.
19 We bought our home in 2001, and we're told the toll road
20 might affect Pico. That's all. Now we're seeing it may
21 take our house, so not only did we move here, we paid
22 money that developers made from us, and now that may just
23 go down the drain. This toll road will affect not only
24 our house, but anyone that's left, the value of their
25 home, so I oppose the central corridor.

1 J. FRANKLIN PHELPS: My name is J. Franklin
2 Phelps. I've lived in Orange County since 1956. Three
3 years ago I retired to San Clemente. I'm 69 years old,
4 and I bought this house because of the view, and I'm not
5 eager to have that view exchanged for a view of the toll
6 road if the central corridor option is chosen. I think
7 San Clemente needs congestion relief, and I hope that
8 it's one of the far eastern corridors that's chosen,
9 because I don't want to give up my house. It's not clear
10 whether I end up with a view of the toll road or whether
11 they take my house from the maps and information I've
12 been able to gather here. It is clear that the tract
13 immediately below us, which was built since ours, is
14 wiped out, and I might end up looking at a sound barrier
15 or might end up not being there.

16 In any case, the other point I want to make was
17 that it seems like displaced people ought to have some
18 protection like potentially displaced animals appear to
19 have, and flowers and whatnot. I guess my only
20 protection is voting for the elected officers who are
21 involved in this decision, and I intend to pursue that,
22 and I also intend to look into the eminent domain
23 procedures and what I might do about that, because I
24 think I would have to hire a lawyer and get involved in
25 that should that option be chosen. Thank you.

1 BOB ALLEN: My name is Bob Allen, and I'm living
2 in Orange, California, and I'm for the toll road. The
3 eastern transportation corridor has eased the traffic for
4 me up at the 55/91 interchange, and I think it would be
5 the same thing for the people down here, so that's why
6 I'm for the toll road. One thing I think might help is
7 if they lowered the price on the toll road. Probably
8 would get more riders and probably make more money.
9 That's one of my suggestions. Thank you.

10 VICKI HARTLEY: I'm Vicki Hartley and I live in
11 Laguna Niguel, and I travel back and north to San Diego
12 County, and I'm interested in having the -- I guess the
13 three eastern alignments constructed to reduce the future
14 traffic congestion. I do believe that the development is
15 going to occur no matter if the road is built or not, and
16 I have -- I guess I have a TCA effective record I guess
17 balancing the need of infrastructure versus environmental
18 protection.

19 JIM PARKHURST: My name is Jim Parkhurst, and
20 I'm here because I wanted to voice some of the glaring
21 inaccuracy in the toll road model that I saw and which is
22 indicative of the huge farce of what this toll road is
23 about.

24 And although I'm opposed to the toll road, what
25 I want to talk about is the area at Basilone Road, the

1 off ramp to Basilone Road where the toll road will
2 dissect Old Pacific Coast Highway and the off ramp to
3 Basilone Road, that is where the toll road is going to
4 go. Yet in actuality, this is only about 30 feet between
5 the off ramp at Basilone Road and old PCH road. They
6 expect to put a -- in the model they show the road going
7 through there, which is absolutely impossible.

8 Also, on the photograph that shows what it would
9 look like, they show the road going inside, that is east
10 of the Basilone Road off ramp, when in fact it's going to
11 be west of the Basilone Road off ramp, so the photograph
12 is inaccurate, the model is inaccurate, and this is --
13 this is only one part of what looks like -- what seems to
14 be a largely -- farce in the case of the toll road, and
15 the federal transportation board should look at this
16 seriously. You cannot do a comprehensive environmental
17 impact report based on aerial photographs alone. Thank
18 you.

19 WENDY MAYERS: Wendie, W-e-n-d-i-e, M-a-y-e-r-s.
20 I was a real estate developer for 10 years in the Palm
21 Springs area, and in speaking to the head engineer, he
22 said that over the last five years they have physically
23 never been out to the property, that everything was
24 aerographed. There is no way. You have to go out for
25 two reasons; one, we have problems with structure in the

1 beach, the landfall into the ocean, whether or not it's
2 structurally and environmentally safe are two key
3 reasons. That they have been doing a study for five
4 years, and physically never gone out there and shot the
5 property and are going to bring the toll road outside,
6 which like Jim says, east over Trestles and everything,
7 it's going to destroy environment. It's not -- it's not
8 environmentally safe, and I don't believe it's
9 structurally safe.

10 JULIE PUENTES: It's Julie, last name Puentes
11 with a P, and I am representing today the Orange County
12 Business Council, and my testimony or comments or
13 statement that we support the Foothill-South to help
14 complete Orange County's toll road system, facilitate the
15 movement of people, goods and services throughout the
16 county, and support the county's growing population and
17 its housing needs. Our organization will offer more
18 extensive comments on the Draft EIS for the
19 Foothill-South before August 6, but in the interim, we
20 would like to offer this statement concerning the
21 economic considerations which could be used to support a
22 statement of overriding considerations on this project
23 which the lead agencies may adopt if they find the
24 project will have significant environmental impacts,
25 which cannot feasibly be mitigated to a level of less

1 than significance.

2 According to the 2003 Public Policy Institute of
3 California Annual Survey, 56 percent of respondents rank
4 traffic congestion as Orange County's most precedent
5 problem. Additionally, 33 percent believe that the
6 highest priority for transportation fund should be
7 dedicated to freeway and highway improvements, and 53
8 percent oppose lowering the vote threshold for approving
9 local option sales tax measures for transportation, such
10 as Measure M in Orange County, to 55 percent.

11 These findings speak to the growing concern over
12 traffic congestion in Orange County, the importance of
13 meeting the county's mobility needs, our ongoing reliance
14 on the toll road concept and private financing as part of
15 the transportation finance fix, and the public's
16 continuing belief that highway projects should have the
17 first call on transportation dollars. Because the annual
18 survey also indicates significant challenges in extending
19 Measure M, the county's voter-approved half-cent
20 transportation sales tax, we submit that it is fair to
21 interpret that residents expect user fees, rather than
22 taxes, to support at least some transportation
23 improvements. Completing the Foothill-South as proposed
24 will be responsive to and consistent with these findings.

25 The need to address congestion is reinforced by

1 growth projections for new jobs and housing in the study
2 area: 98,000 new jobs and 46,964 new homes by the year
3 2025. Orange County is fortunate to enjoy a diverse and
4 vibrant economy and an exemplary quality of life.
5 Supporting these economic benefits to our residents
6 requires addressing the accompanying threats of
7 increasing traffic congestion by continuously improving
8 the counties transportation system.

9 Lead agencies and transportation planners must
10 also take into account the regional transportation and
11 economic implications of Orange County's geographic
12 location in the region. Situated between San Diego and
13 Los Angeles County, and being one of the highest job
14 generating counties in the state on its own, Orange
15 County must meet cargo, business travel, and personal
16 mobility demands beyond its borders. According to the
17 Southern California Association of Governments in the
18 Final Draft 2004 Regional Transportation Plan, total
19 daily delay due to congestion is estimated to more than
20 double from 2.2 million person hours in year 2000 to 5.2
21 million person hours by 2030. The region's
22 transportation system has not kept up with population
23 growth. Improvements in the LOSSAN Corridor, with Orange
24 County as its center, are central to the region's ability
25 to keep pace with these demands. The Foothill-South

1 facility, to provide an alternate route to I-5 in South
2 Orange County, is a central component of the key
3 transportation corridor.

4 Projections of increasing international and
5 domestic trade volumes point to severe congestion due to
6 truck traffic that will worsen in the county's -- in the
7 region's major transportation corridors. The
8 Foothill-South will be key to commercial, as well as
9 residential, access to LAX and Ontario, which together
10 handled 96 percent of all regional air cargo traffic.
11 LAX alone handles 75 percent of this demand. The RTP
12 recognizes the economic implications for both cargo and
13 passenger access to LAX and Ontario, and calls for the
14 pulling together of local resources, including facilities
15 supported by pay-as-you-go debt financing, to meet
16 regional transportation needs.

17 We cannot ignore the environmental challenges
18 that are inherent in a project of this nature. However,
19 sustaining Orange County's economic vitality and the
20 economic vitality of the region necessitates that we find
21 ways to overcome the environmental challenges presented
22 by the completion of the Foothill-South. Economic
23 considerations must be given weight in this discussion.

24 We look forward to the opportunity to comment
25 additionally prior to August 6, and we thank you for your

1 consideration of this statement.

2 (Exhibit submitted by speaker Puentes.)

3 DONALD C. COLLIE: Donald C. Collie, CPA.

4 where and how does the Transportation Corridor
5 Authority gain the authority to propose yet more
6 destructive road construction on land that is supposedly
7 protected for the general public and state parks and land
8 conservancy trust? seemingly, our taxpaying interests
9 are subjected and jeopardized by yet another suspicious
10 governmental agency trying to practice a form of
11 oligarchy against the public good.

12 Look around at all the unbecoming urbanization
13 and unimaginative cookie-cutter housing developments that
14 have become Orange County. Increased freeway
15 construction and private toll roads are only promoting
16 and making it possible for ever-increasing motorist
17 traffic. When has a roadway in this overpopulated
18 Southern California region ever really alleviated traffic
19 congestion in order to establish finite motorists' usage.

20 I urge anyone who takes the time to read this
21 response to also take the time to visit some of these
22 places that the transportation corridor proposes to
23 destroy. The natural beauty of the earth and its
24 inhabitants are very pleasantly different compared to the
25 daily living urban sprawl made possible by all roadways.

1 It is important that state parks and land conservancy
2 trusts be honored today and tomorrow, and not be subject
3 to the suspicious ways and means of the Transportation
4 Corridor Agency.

5 with each passing year, multitudes of motorists
6 are contributing to greater and greater urban sprawl.
7 Unfortunately, there will not be a shortage of motorists
8 in this region due to the poorly executed infrastructure
9 in place. However, there will become a shortage of state
10 parks and land conservancy trusts in place if this
11 misguided and suspicious Transportation Corridor Agency
12 continues with its destructive ways.

13 Remember, once these public state parks and land
14 conservancy trusts are gone, we will only have our
15 memories of nature's last great places to reflect as we
16 sit in yet another traffic jam.

17 DARIN MCCLURE: My name is Darin McClure,
18 D-a-r-i-n, M-c-C-l-u-r-e, and the environmental impact
19 study leaving out water quality impacts proves what a
20 sham all of this TCA toll road stuff really is. I want
21 to leave for my children the same clean surf that I grew
22 up with. No -- no build, no toll road. Thank you.

23 AMBER JACKSON: Amber Jackson, and I -- like
24 every summer, every Thursday, we would -- we live in
25 Laguna Beach, and our family -- we go down to San Onofre

1 to go surfing, and we like could just go to Doheny and
2 surf there, it's a lot closer, but we go the extra way to
3 San Onofre because it's so much more -- there is just
4 something about it. It's clean and like wonderful, and
5 at Doheny it's just so polluted. I mean we really don't
6 want to pollute San Onofre, because then you'd just be
7 making another Doheny, and there is like no point in
8 doing that again.

9 And all the while life spaces and areas that
10 you're going to be destroying like the -- like animals,
11 and they are just not going to have anywhere to go, and
12 yeah, it would be very bad. That's all I have to say.

13 CAREY STROMBOTNE: My name is Carey Strombotne.
14 I oppose any building of toll roads for the -- or the 241
15 extensions, and I oppose any alternatives. The only
16 alternative that makes sense is no action. Thank you.

17 CASSIDY ROBINSON: I'm Cassidy Robinson, and I
18 am against the toll roads, and I surf in San Onofre every
19 Thursday, and I don't -- I could go to Doheny, but I go
20 to San Onofre because it's not polluted, and it's -- has
21 good waves, and I think it's crazy that they are putting
22 this toll road in. I don't know what else to say.

23 ADRIENNE CADDY: Adrienne Caddy. I just want to
24 say that I'm against the toll road, and I believe that we
25 need to look at alternative transportation options such

1 as lightrail and especially -- we also need to look at
2 not only lightrail, but better ground transportation,
3 because lightrail doesn't help if you can't get to where
4 you need to go once you get off the station. Because
5 I've lived up in San Francisco for the past two years
6 and -- and, you know, they have one of the greatest
7 transportation systems in the world, and I didn't have a
8 car, I didn't need a car, I didn't miss a car, and if we
9 could have that, we wouldn't need a toll road. Basically
10 that's it.

11 And I love our beaches. I go to the beach
12 almost every day during the summer, and I don't want to
13 see it polluted. I think it's great as it is, and I
14 don't want to see it changed.

15 CATHLEEN BRANNON: Cathleen, C-a-t-h-l-e-e-n,
16 Brannon, B-r-a-n-n-o-n, and I reside in San Juan
17 Capistrano.

18 In regards to this Transportation Corridor
19 Agency, I think enough of us in this room have expressed
20 our opinion that it really isn't a solution to our
21 traffic problems, that it's a temporary Band-Aid. Build
22 it and they will come. Big box building, strip malls,
23 car dealerships, even more development.

24 I'm frustrated that our state San Mateo
25 Campground is in jeopardy as well as our highly valuable

1 Trestles Beach that is a mecca for a lot of surfers in
2 Orange County.

3 I think I'm bothered by the proximity of this
4 corridor next to Camp Pendleton. I think that there
5 should be a buffer zone, and that it might jeopardize
6 security.

7 I think that our -- there is a significant
8 watershed that's at stake. There is already -- I've seen
9 the amount of pollution in our creeks, San Juan Creek,
10 Trabuco Creek, and now threatening San Mateo Creek, which
11 is one of the most natural creeks that run from the
12 mountain to the ocean, untouched by man.

13 As a 12-year resident of San Juan Capistrano, I
14 came from Huntington Beach for quality of life. It
15 alarms me at this time we created more urban sprawl, what
16 I left Huntington Beach for. I'm alarmed that this is
17 the most diverse ecosystems in the United States and that
18 scientists travel from all over the world and all over
19 the United States to come and research and take a look at
20 this -- this really jewel of an ecosystem. I guess
21 that's it for now. Thank you.

22 BLAKE STORIE: My name is Blake Storie, resident
23 of Laguna Niguel. I'll be brief because I'm sure there's
24 several comments you've received all day. Just taking a
25 very quick look last night at the executive summary I

1 guess it was, the proposals struck me as, in the very
2 words of the -- in the EIR, the congestion relief on the
3 I-5 is a key parameter identified in the purposes and
4 need statement for the project, a key parameter.

5 If you look at all of the alternatives in this
6 report, essentially at least all of the -- all of the
7 toll road alternatives do not provide the best relief of
8 that congestion, which to me is really an irresponsible
9 way to proceed. I think that tells me as a citizen I'd
10 much rather see projects go forward to help relieve
11 congestion in a way that has minimal impact to our
12 existing open space, and fortunately all of these toll
13 road alternatives impact open space to quite an extent
14 for the very, very various reasons, and so I would like
15 to see that none of the toll roads do impact that.

16 And back to my original point, they do not
17 address the main key issue that the report itself says,
18 and that is to relieve -- provide relief of congestion,
19 and there are other alternatives including just widening
20 I-5 as it is, that will do a better job. Thank you.

21 COMMANDER GREGORY GRABOWSKI: My name is
22 Commander Gregory Grabowski, United States Navy. While I
23 am not in -- while I'm not opposed or for the toll road,
24 I am strongly in favor of this public debate and the need
25 for balance.

1 Many residents of Orange County may or may not
2 be aware that Marines on board Camp Pendleton are
3 restricted to a several hundred yards of beach to
4 practice amphibious landings. This is as a result of the
5 protection afforded to the least tern nesting areas
6 during certain months of the year. This is balance, and
7 this balance has been respected.

8 The need for infrastructure in South Orange
9 County has to be evaluated through public commentary and
10 debate such as today and through scientific analysis.
11 Balance is the important thing. Emotions, while they
12 make terrific sound bites, may or may not contribute to
13 an objective understanding of the issues. Most residents
14 of Orange County today would not be here were it not for
15 the sake of development. I ask only that the
16 decision-makers and the investors understand that a
17 balance is necessary. That's it.

18 DOUGLAS DUMHART: Douglas Dumhart, 18 Kingfisher
19 Court, Trabuco Canyon, and I am in support of the 241
20 South, and I'm in support of either the far -- A7 far
21 east crossover, the far east west version, or the far
22 east modified, and I'm not in support of the I-5 widening
23 or arterial improvements.

24 CAROL BOOT STORIE: My name is Carol Boot
25 Storie, S-t-o-r-i-e, and I am adamantly opposed to the

1 Foothill-South toll road. There are so many reasons that
2 this road is a poor idea that I can only touch on a few
3 in a short period, just a few that make me very angry and
4 disappointed.

5 I am particularly opposed to the alternatives
6 which go through the Donna O'Neill Land Conservancy and
7 the San Onofre State Beach. This project is mostly about
8 an organization that is a pre -- single predefined
9 solution, the toll road, regardless of if it is really
10 addressing the right problems and regardless of the many
11 problems it causes.

12 This is about a handful of individuals who
13 repeatedly stretch the truth or even lie to win in this
14 game including using inadequate or improper studies to
15 justify their positions, and the taxpayers and citizens
16 repeatedly lose. As it's been shown by our previous toll
17 road examples, we would pay for this toll road and pay
18 dearly, whether or not we actually use the road, through
19 the support of its financial debacles and the allocation
20 of resources to address these issues, through the
21 maintenance of the road, through fixing the errors that
22 would intentionally or negligently be designed or
23 processed in, through its impacts to one of our great
24 campgrounds and family areas, through destruction of our
25 watershed and beaches, through increased traffic on the

1 public roads, through its impact on public service and
2 utility resources, through its absolute growth
3 inducement, which impacts us all in so many ways.

4 There is not much left of the Orange County that
5 most of us have learned to love, but we still love it, .
6 and there are special places that breath the heritage and
7 beauty that we are so proud of. We want to preserve this
8 area of South County, our county's heritage.

9 The TCA's function has long since been obsoleted
10 by changing needs and requirements. It's time that the
11 TCA rules be redefined to meet the needs of the citizens
12 of California, rather than our obsolete objectives of
13 building toll roads. Be it any means, fought or stolen,
14 this experiment hasn't worked. It won't work, and we the
15 citizens pay the price. Let's work to have their efforts
16 redirected toward real solutions of moving more people in
17 the same direction at the same time, rather than a single
18 predefined toll road solution with the many problems that
19 they cause.

20 There are several tactics used by TCA which are
21 deplorable and which severely limit their credibility.
22 They used poor science, or limited science to justify
23 their positions, they announce partial truths with
24 misinformation to the public so the people feel they have
25 no choice, and they are ultimately disenfranchised. They

1 propose ridiculous alternatives so the people feel they
2 must take the solution already chosen by the TCA. They
3 pretend that a huge road and all its impacts will have a
4 limited impact on the surroundings, even though it never
5 has been true, and there is no reason to think it would
6 be true today.

7 Mitigation for the devastating affects on San
8 Mateo Campground, Trestles, and the conservancy is not
9 appropriately addressed in this report. There is no
10 mitigation that can replace these irreplaceable
11 resources.

12 If the problem that the TCA alleges to address
13 is traffic, there are many untouched and forward thinking
14 solutions which will ultimately be in our future. Why
15 would we spend millions for a solution that is not even a
16 temporary solution. This toll road is not the answer.

17 I do address a couple additional things that I
18 heard from inside.

19 One gentleman discussed how this toll road
20 really benefits business. California's businesses are --
21 many, many of the businesses are defined by our clean
22 beaches. It's the money that comes into California from
23 people travelling into the area because of our clean and
24 beautiful beaches, is overwhelmingly greater than the
25 money that comes from the few businesses that would be

1 associated with this toll road, so saying that the toll
2 road is what would bring money into California, is really
3 not the issue here.

4 There is a couple of discussions about
5 disenfranchisement. This road is really a dividing line
6 between the haves and have-nots. It's a very expensive
7 road to travel on. Many, many people in Orange County
8 and other counties could not possibly afford this. I
9 don't think this is where we want to take our society.
10 It relies on public roads being crowded for its success.
11 Public roads are intended to be public. They are
12 intended to serve the public. We pay taxes so that our
13 public roads can serve the public, and that where I would
14 prefer my tax dollars to go, versus having them go toward
15 fixing a toll road that so few of us really can or would
16 use.

17 And thank you for allowing us to provide these
18 comments. We hope the decision made in the future will
19 be good for the local citizens, the county citizens, and
20 California citizens. Thank you very much.

21 BARBARA MOLLURE: I'm Barbara Mollure, and I
22 would just like to be short and sweet and say that I do
23 not want any version of this toll road for all of the
24 reasons stated by many people who said it much better
25 than I, but I just want to go on record as saying no on

1 the toll road. Thank you.

2 BRYCE DEWEES: Bryce Dewees, B-r-y-c-e, and
3 D-e-w-e-e-s, and I'm from San Clemente. And it started
4 out as a small town, and it's getting bigger and bigger,
5 and if the toll road goes through, that would be one
6 thing -- little thing that the city said that was okay.
7 And then if that keeps happening, San Clemente might turn
8 into something like Los Angeles, and that's not what the
9 desire of San Clemente was.

10 And the toll road just doesn't affect San
11 Clemente, it affects pretty much all of California, and I
12 think that it's not a good thing because the whole goal
13 of life was to have what God made, and building roads is
14 kind of destroying what was there. And the toll road, it
15 just -- if it went through, it would be a disaster, and
16 it would lead to problems that are not necessary. Thank
17 you.

18 ELOISE BODIFORD: I'm Eloise Bodiford, and I've
19 lived in San Clemente for over 38 years. I'm a taxpayer,
20 property owner, and a voter, and my concerns are many.

21 Foothill-South road extension through San Onofre
22 State Beach is the last state park anywhere in California
23 since it opened 12 years ago. It is our clean, quiet,
24 nature getaway of south Orange County, and Mateo
25 campground provides 161 units of rare affordable public

1 access to a rural coastal valley.

2 Also a surfing beach for thousands of families
3 annually, Trestles Beach is our finest remaining natural
4 surfing breaks in the world. My daughter, my grandson,
5 and granddaughter surf at Trestles. The toll road would
6 interfere with the natural streams, the erosion and the
7 sedimentation will pollute our clean creek, and it will
8 pollute Trestles Beach.

9 It's financially risky. The Foothill-South toll
10 road will cost at least 800 million more. Now, the
11 Rancho Viejo Company building 14,000 homes and 5 million
12 feet of square commercial space, the CEO, Mr. Moiso has
13 been quoted as saying, if the toll road isn't there, we
14 will just build a road, and my question is, then, why not
15 let the developer build the road instead of the taxpayers
16 picking up the tab for the 1,800 million more to build
17 the Foothills-South toll road.

18 We have two councilmen who are fighting the toll
19 road south, and they are Mr. Carl Romansky, who is in San
20 Juan, and Aliso Viejo, and Mr. Wayne Egelston in San
21 Clemente, and they are spending their time and effort in
22 the council trying to put forth the opinion of all the
23 people who don't want the toll road south to go through
24 our park and our Trestles Beach of San Clemente. And
25 thank you.

1 (Exhibit submitted by speaker Bodiford.)

2 STEVEN TARYANIOUR: Actually, I do support
3 the project in general, and I do support what TCA is
4 doing for studies. The three alternatives in here, I
5 feel like the far east corridor modified and the next
6 one, far east corridor west, and the third one, alignment
7 7 corridor far east crossover modified. The three
8 alternatives seem favorable, at least impact, and I
9 believe in the long run, this corridor would relieve not
10 only the congestion problem we are facing, it will also
11 help us to live a better life because we cannot stop
12 growth in general.

13 when you stop growth you have impact. Impact
14 would be other things that we are not talking about in
15 here. When our children get sick, if you want to get
16 them to a hospital fast, and we have to have shopping
17 center facilities around us, all comes with growth. And
18 we can't live a primitive life anymore. We are modern
19 people. We live in America. Even you go to Europe, they
20 do the same thing, but we can balance everything in good
21 design.

22 Considering all of the alternative opportunities
23 that was ahead us, we can balance, and we can preserve,
24 but we can't just sacrifice human life for the sake of
25 the natural resources. The question is I really feel

1 like some of us, we forget our priorities, the tail wags
2 the dog sometimes. I think we go to the extremes. I
3 love redlegged frogs, for example, butterflies, I love to
4 enjoy them, but I guess we need to live too.

5 The question I have to the opposition, how did
6 they get where they are right now, and one of the ladies
7 I understand spoke, she just happened to be that somebody
8 knew her, she's a teacher, lives in Talega, top of the
9 hill looking down, and nobody ask her that question, how
10 did she get up there. Without that growth, she wouldn't
11 have that pleasure of having such a beautiful home.
12 She's a teacher.

13 I understand she's opposing. I don't know her,
14 I just heard somebody was telling me she knew. I don't
15 know who she is, I have no idea, but I just heard one of
16 the audience say, well, this person I know, she lives
17 such and such place and whatever. That's fine. Then the
18 question is everything she says is wonderful. I love to
19 have, but the thing is we can't have both the cake and
20 eat it. That's my comment, and at the end, I do agree
21 with everything they say, but we can't do it, it's not
22 practical. The practicality is we need to relieve our
23 congestion.

24 ZAK PONSEN: Zak Ponsen, resident of San
25 Clemente past 28 years. Registered professional engineer

1 in the State of California, civil engineering.

2 I don't think the EIR properly addresses the
3 cutting off of several lotions of the river rock source,
4 which is a conglomerate geological formation, especially
5 along the existing Cristianitos Creek. The overpass will
6 directly block -- right before it crosses the creek it
7 will block a true source for rural rock, which makes
8 Trestles one of the best beaches in the world, most
9 popular surfing destination probably for the amount of
10 people probably in the world. The river rock is what
11 makes the beach and the waves so good, and the EIR
12 doesn't address this at all. You're directly cutting off
13 the source, again, of the conglomerates in the geological
14 formations, and I don't think the EIR properly addresses
15 the sediment and soil transport down in Cristianitos
16 Creek, how it will be properly affected.

17 On a different note, the -- I only feel this
18 road will spur growth in an otherwise area that can't
19 handle the growth. The infrastructure and the road
20 systems that are existing are basically tapped out. Just
21 by adding one road is not a true solution to the problem.
22 The noncompete clause for the south I-5 is completely
23 ridiculous. The expense that you've shown on several
24 plans for the amount of fill to expand the southern
25 portion of the I-5, I don't believe it's that drastic,

1 and I live a thousand feet away from the freeway, and my
2 house is considered into your expansion zone somehow,
3 freeway to add a lane or two. I don't know how my house
4 on East Avenida Cornelio in San Clemente would somehow be
5 literally feet away from a freeway, which is several
6 hundred feet away. So your depictions and figures, I
7 believe, are wrong or need to be addressed, and I'm
8 obviously against the freeway. Thank you.

9 MARK BABSKI: Mark Babski, B, as in boy, a-b, as
10 in boy, s-k-i, and I'm a San Clemente resident, married
11 with two kids, and very much against the toll road and
12 any of the alternatives except the no project
13 alternative.

14 But the first point I would like to bring up is
15 the EPA and the Department of Transportation in the year
16 2000 signed an MOU with relation to the Clean Air Act,
17 and it was about national conformity with air pollution
18 regulations, and this area here is a non -- does not
19 conform to the allowable level of air pollution. We're a
20 high air pollution area. This toll road project receives
21 federal money. It's mostly funded privately, but it
22 receives federal money. Because this project receives
23 federal money, it's in violation of the Clean Air Act,
24 and section 176(c), (42 U.S.C. 7506(c)) that's the
25 specific provision in the Clean Air Act that this

1 project -- highway project here is in violation of
2 because it receives federal money.

3 Specifically to the environmental impact
4 statement and report, the sedimentation flows from the
5 Cristianitos and San Mateo Creeks will be altered during
6 construction, and that will greatly alter the surfing
7 breaks at Trestles.

8 And my last thing, and then I'm out of here, the
9 third thing it's most important, is, polluted runoff will
10 be generated from construction and from the highway
11 itself after construction has been completed, and that
12 runoff will run into the pristine Cristianitos and San
13 Mateo Creek watersheds that empty out into the
14 Trestles -- world famous Trestles surfing breaks.

15 And the last thing is, the TCA has shown clearly
16 in all past behavior that they are unable to control
17 polluted runoff from their highways. That's it.

18 GREG HOFFMAN: Greg Hoffman, G-r-e-g,
19 H-o-f-f-m-a-n.

20 Dear Ms. Cleary-Milan/Mr. Kreutzen, as a follow
21 up to the long awaited release of the TCA draft
22 Environmental Impact Report/Environmental
23 Environmental/Subsequent Environmental Impact Report, on
24 Friday, May 7 we wanted to inform the TCA board of
25 directors and all other applicable federal agencies --

1 federal highways, etcetera -- of our major concern
2 regarding a majority of the proposed Foothill-South toll
3 roads alternatives being proposed.

4 Due to the projected growth over the next 10 to
5 20 years, we accept the fact there will be a need for
6 traffic congestion relief alternative. If the most
7 logical alternative is selected, reference one of the far
8 east corridors, and constructed properly, the
9 Foothill-South toll road would be the best solution for
10 this future problem. Just as importantly, it will also
11 serve as a relief in the event of a natural disaster,
12 i.e., San Onofre Nuclear Plant, earthquake, etcetera.
13 After considerable review and comparison of the eight
14 alternatives and two no action alternatives being
15 considered, it is clearly apparent that a multitude of
16 them will directly and/or indirectly significantly impact
17 our home, our community of Mandalay/Pacific Crest, namely
18 Pacific San Clemente Homeowners Association of an
19 approximately 160 to 170 homes, and the City of San
20 Clemente.

21 we are adamantly opposed to the central
22 corridor -- cc yellow -- alignment because it is a direct
23 line of the proposed route through San Clemente, and will
24 require the destruction of our family's homes and all
25 surrounding homes in the community. We have worked and

1 saved a lifetime to purchase our home and finally have
2 had the gracious opportunity to enjoy our five year-old
3 neighborhood and the beautiful City of San Clemente. A
4 larger -- the larger more grave impact would be the
5 removal of an additional 590 plus homes, families' homes,
6 the business and the community disruption due to
7 additional businesses, and the jobs lost along the way.
8 The destruction of that many families' lives is
9 appalling, let alone the astronomical construction cost
10 of 1.12 billion. You can bet that the majority of the
11 anti-development and environmentalist groups that are
12 heavily opposed to the three more cost-effective far east
13 corridor options would feel the same way and quickly
14 abandon their strong anti-toll road positions if their
15 families' homes and livelihoods were in jeopardy of being
16 destroyed. The central corridor -- cc yellow --
17 alternative is not preferred.

18 In addition, we are also strongly opposed to the
19 central corridor, Avenida La Pata Variation (C-ALPV Light
20 Orange), the Alignment 6 - Avenida La Pata Variation
21 (A7-ALPV Dark Orange), and the arterial improvements
22 (AOI) alignments. Although there is no direct impact
23 requiring removal of our home due to the close -- due to
24 the close proximity (basically in our backyard) these
25 alternatives would completely disrupt the quality of life

1 in the community that we enjoy. Needless to say, some of
2 more grave impacts would be the direct destruction and
3 gradual decline in the beauty of our immediate community
4 the neighboring community and the City of San Clemente.
5 Despite the lower construction costs associated compared
6 to the central corridor, many of the adverse impacts
7 would include, but are not limited to, poor quality of
8 life, increased noise, pollution, air quality, decline in
9 aesthetics, significant increase in local traffic
10 congestion, and the declining of homes, etcetera --
11 declining value of the homes, etcetera. These three
12 alternatives are not preferred.

13 As far as the I-5 widening (I-5 Red) alternative
14 is concerned, we are strongly opposed to this alternative
15 simply due to the sheer number of overall destruction of
16 the number of families' livelihoods, homes destroyed,
17 businesses/jobs lost, and the major destruction of the
18 City of San Clemente. The other key factors that prevent
19 this alternative from being the best option to relieve
20 traffic congestion in the future is the fact that it is
21 almost cost prohibitive, 2.42 billion, and the delays in
22 obtaining state/federal funding approval for such a huge
23 undertaken would prevent the timely start and
24 construction completion of the I-5 widening in order to
25 relieve projected future traffic congestion requirements.

1 I-5 widening alternative is not preferred.

2 We strongly endorse all three of the far east
3 corridor alternatives - the far east corridor modified
4 (FEC-M, Purple), far east corridor-west (FEC-W,
5 Lavender), and the Alignment 7 - Avenida Far East
6 Crossover - Modified (A7-FEC-M, Green). These
7 alternatives are the best and most feasible due to the
8 fact that they completely eliminate the direct and
9 indirect impacts, not only to our own livelihood and
10 home, but they also preserve the neighbors' livelihoods
11 and community, the surrounding communities, and the City
12 of San Clemente. Although adamantly opposed by our
13 environmental groups, these alternatives are the least
14 costly to construct at 380 to 426 million. They offer --
15 they all offer environmentally sensitive solutions taking
16 into careful consideration the preservation of wetlands,
17 habitat, and endangered species. The TCA has performed
18 amicably in the past on mitigating, preserving, and
19 protecting the environment in the construction of all
20 previous toll road systems, and there is no reason that
21 the same standard or better cannot be -- cannot and will
22 not be maintained by the TCA in the planning and
23 construction of the far east corridor options. The far
24 east corridor alternatives are most preferred.

25 Lastly, the no action alternatives, based on

1 future construction of 14 to 20,000 -- 14,000 to 20,000
2 homes in Rancho Mission Viejo are not even viable options
3 since it is a known fact that due to the future projected
4 growth in the area 10 to 20 years from now the
5 requirement for traffic congestion relief will be a
6 necessity, and there will be absolute gridlock on our
7 local streets and freeways.

8 Historically, the TCA process of records has
9 avoided the removal of any homes to construct the current
10 toll road systems we currently benefit from and enjoy.
11 It would be prudent from a business and humanity
12 perspective of the TCA board and Federal Highways Agency
13 to adhere -- to adhere to and maintain that policy when
14 the -- when the record of decision is determined in early
15 2005 on the best and most cost effective Foothill-South
16 toll road alternative. It would only be a tragedy to the
17 many, many lives if the decision is made to the contrary,
18 and calls additional TCA legal costs along with more
19 construction start delays due to the possible pending
20 litigation. Kind regards, Greg and Linda Hoffman.

21 (Exhibit submitted by speaker Hoffman.)

22 MAURA MIKULEC: Hi, my name is Maura Mikulec. I
23 live in Capistrano Beach, adjacent to the most polluted
24 beach in the state. I'm embarrassed to have to repeat
25 myself with my little mantra, but I have nothing new to

1 add since hearings in the last four years, but it seems
2 we're not being heard yet, so I'll say my schtick again,
3 and I wonder if, in fact, we're being too polite. I'm
4 not an environmentalist, I am not knowledgeable about
5 habitats or water issues or fiscal concerns, I'm just a
6 person, a wife, a mom. I grew up in South Orange County,
7 and I chose to make my home here for myself, my husband,
8 and my children.

9 Today I want to thank all the passionate and
10 enthusiastic people who -- excuse me, here, and all the
11 organizations and people who regularly work to save our
12 open space. I'm thankful to you all, because frankly I
13 can't do all that I wish. I don't read the paper every
14 day, I can't even memorize a short list of endangered
15 species. I just know the life I want for myself and
16 especially for my two little boys. We want to camp again
17 at San Mateo. We want to find sea anemones in the tide
18 pools at San Onofre and see sea lions come ashore in the
19 winter on an uncrowded beach. We want to hike again at
20 the conservancy and enjoy open vistas from Casper's. The
21 building of a toll road is unacceptable.

22 Now, a point I want to make today is that most
23 of the people I know are opposed to building any new
24 highways through our back country, but I'm here today
25 with just one friend. Just as so few people vote in any

1 elections, few people can or do take the time to be
2 involved in these processes. Many don't even realize
3 there are hearings going on. Some know about them but
4 have no concept of what it is, and that they can actually
5 participate. They think it's for people from the NRDC,
6 the Sierra Club, or politicians and bureaucrats. Others
7 just think it is a done deal and are hopeless. My
8 friends and many like them are not unconcerned, they just
9 don't realize they have a say, and they are busy with
10 their lives. Today they are at baseball games or at
11 birthday parties at Chuck E. Cheese, or running errands
12 at Target.

13 Please, we need to know, you need to know, that
14 those of us that could get here today represent many,
15 many more who could not. Please, those of you with any
16 power, please hear our cry and the cry of many not here
17 today. Save our way of life, save our open space, stop
18 the toll road.

19 RAUL FERNANDEZ: Raul Fernandez. I guess I got
20 so many alternatives in here to choose from, and I know
21 that TCA made a lot of studies throughout the process,
22 and I would -- personally I would like to see
23 alternatives A7 far east crossover, far east west, and
24 the far east modified as the preferred alternative, and I
25 wish we have another public forum after the preferred

1 alternative has been selected.

2 Also if we could do different variations to
3 minimize impacts to the habitat in the wetland, that
4 would be great. I don't know if you have any other
5 options to choose from to reduce those impacts, but I
6 don't have time to look at the reports and see what all
7 the issues are, and any of the mitigation impacts that
8 was provided in the reports, so I may have to look at
9 that and make another comment after the preferred
10 alternative have been selected.

11 Overall, I just -- the cost of this project is
12 in the range of about 700 to 770 million dollars, and
13 with a traffic decrease of about three to four percent,
14 so within a 25 years projection, it's always a problem
15 because the developers rarely communicate with the
16 traffic planners on traffic projections. This has
17 happened here in Southern California region, Riverside,
18 San Bernardino, Orange, and the San Diego counties.

19 Also I would like to see how the County of San
20 Diego is involved in this project since the southern part
21 of the A7 alternative, the green, light purple, and the
22 dark purple alignments, are within the County of San
23 Diego. I assume that is in the Marine Corps -- Camp
24 Pendleton Marine Corps land.

25 I guess the last comment I have is I just want

1 to make sure that after the preferred alternative has
2 been identified, it would be good for another public
3 forum to go over it again and make sure that the public
4 understood the selected alternative or the preferred
5 alternative for the final design. That's all I have.

6 STEVEN SCHRAEDER: Steve Schraeder -- or Steven
7 Schraeder with a V. I drove a truck in Orange County,
8 the cement truck, and all the traffic on the 5 by San
9 Clemente, I'm for the toll road. Let's see which one it
10 is. I'm for the far east corridor modified, or the far
11 east corridor west, or the alignment 7 corridor far east,
12 which none of them affect homes or businesses in San
13 Clemente. And if you remember the cement truck wreck
14 that happened in San Clemente on the 5 last year, it took
15 me two hours to get to San Clemente from Irvine. Took me
16 45 minutes to get out of Dana Point. Something has got
17 to be done about it. When there is a wreck, you can't
18 get through San Clemente. It's not just the freeway
19 clogged, it's all the streets, so I'm for the toll road.

20 GARY MILLER: My name is Gary Miller, address is
21 66 Pienza. P, as in Paul, i-e-n, zebra, apple, Laguna
22 Niguel. I moved to South Orange County from North Orange
23 County in 2001 in part to escape the density and traffic
24 problems in that part of Orange County, and I'm very
25 concerned that continued urban sprawl is going to

1 denigrate, d-e-n-i-g-r-a-t-e, the quality of life in
2 south county. And to a carpenter who only has a hammer
3 in his tool box, every problem is solved by driving a
4 nail, and to continue to build roadways without giving
5 heavy consideration to alternative transportation means,
6 such as lightrail or long existing freeway transportation
7 corridors, is to assume that the only solution we have is
8 more of the same, which will lead to a certain
9 degeneration of our quality of life.

10 If this tollway is built in any form, the
11 subsequent residential and commercial development that
12 will surround it will inevitably lead to a call for yet
13 an additional high speed tollway or freeway some 15 to 20
14 years from now, and this process will go on for
15 generations until we find more efficient means of mass
16 transit.

17 I'm firmly opposed to the building of the
18 tollway or the taking of any dedicated land or land
19 dedicated for public enjoyment and nature preserve in any
20 form. That's all.

21 LEE ANN CARRANZA: My name is Lee Ann, Lee Ann
22 Carranza, C-a-r-r-a-n-z-a. I'm a resident of San
23 Clemente. I've been a resident of San Clemente most of
24 the last seven years.

25 I have numerous comments on the plan, and I will

1 be submitting formal written comments later, and I
2 appreciate that there was an extension on the due date
3 because one of my main concerns is that it seems out of
4 step with regional planning for the area. How can we be
5 planning for roads if we really don't know where
6 development and preserves are going to occur in southeast
7 Orange County, so I would propose that you delay this
8 process until that's further along and has gone to -- the
9 subregional plans have gone to comment and the resource
10 agencies are supportive of the overall plan for the
11 southeast county.

12 In terms of the alternatives, it doesn't look as
13 though you fully analyzed all reasonable alternatives.
14 Having La Pata as a separate stand-alone alternative
15 doesn't seem appropriate. What it should be is combined
16 with widening I-5 or maybe combined with one of the other
17 toll roads that don't go so far east. Then I think you
18 will have even more reason why all the toll road options
19 don't make sense.

20 when I look at the traffic analysis, you're
21 still going to have traffic on I-5 regardless of whatever
22 toll road configuration is selected. I've been driving
23 the I-5 for this stretch for the last seven years, and
24 just -- I know what the problem is. The problem is you
25 lose a lane, you gain a lane, you lose a lane, you gain a

1 lane. Yeah, we have more cars on the road, but if you
2 just even it out so there are the same number of lanes
3 from Irvine to Camp Pendleton, you would alleviate the
4 backup.

5 A lot of backup is you have a lot of tourists on
6 the road. They don't understand why when PCH merges with
7 I-5 how come they gain a lane, and then they lose it and
8 lose another lane within a quarter of a mile. That's
9 what causes the backup. Having a toll road that merges
10 at Camp Pendleton, I don't see how that's going to
11 alleviate traffic backup. As long as you still have the
12 same number of lanes through Pendleton, you're going to
13 have a backup.

14 I'm not proposing that there should be more
15 lanes through Pendleton, but I mean you're still going to
16 have a bottle neck. As long as there is no other freeway
17 through Pendleton, you're going to have a bottle neck,
18 you're going to have traffic, and why create -- why have
19 all the significant impacts that a toll road would have
20 to -- I really don't even see it alleviating the traffic
21 issues according to your own analysis.

22 And I'm not even sure you know how to do traffic
23 analysis, because if you look at the 73 toll road, nobody
24 is taking it, it didn't alleviate any traffic on I-5,
25 it's junk bond status, so obviously we can't really trust

1 you guys to do this analysis.

2 I'm concerned that there isn't an alternative
3 that at least has public transportation as a component.
4 Maybe it's not a stand-alone, but it supplements by
5 express train or something, or maybe even if you had a
6 carpool lane through Pendleton, that would alleviate some
7 problems.

8 I'm concerned about this -- all the toll road
9 alternatives have significant impacts to natural
10 resources on the order of hundreds of acres, which is --
11 just seems inappropriate, and I'm just not quite sure
12 why -- I'm sure there is a lot of smart people working on
13 this project, but why except hundreds of acres of impact
14 for a road with a toll when people really don't take toll
15 roads. The only people I know who take toll roads are
16 those where their companies pay for the bill, and if you
17 ever get on one, there is never any one on it. I've only
18 taken them each once just to see what they are like. I
19 have no need for them, my neighbors say they have no need
20 for one.

21 People in Orange County are strapped to pay
22 their mortgages. They are not going to pay to drive on a
23 road that goes -- where half of your alternatives take
24 them an extra seven miles out of the way, and I think the
25 rationale for that was to avoid impacting the conservancy

1 east of Talega, and that's a legitimate concern. But
2 once again, going back to it's out of step with regional
3 planning. I would expect and hope that you would have a
4 preserve adjoin the existing preserve east, basically
5 preserve all southeast county adjacent to Camp Pendleton,
6 that it would help buffer Camp Pendleton activities, and
7 so if you -- if that happened, and then you're putting a
8 toll road through the middle of a large preserve, it's
9 just -- it's short-sided, the timing is off.

10 I know one of the issues that comes up is well,
11 we need an alternative exit out of San Clemente for a
12 catastrophe, but that's what widening -- I mean that's
13 what La Pata will bring. La Pata is going to go through.
14 There's no reason why we shouldn't or couldn't widen La
15 Pata no matter what, and it also -- I -- just hard to
16 believe that the military really supports having a toll
17 road run through their property, that, you know, after
18 9/11 having, you know, just anybody driving through their
19 property I think puts them at a greater risk, and that's
20 to me a greater issue of security versus having a toll
21 road. I mean that's kind of insane, isn't it, to tell
22 people in an emergency you have to pay to get out of
23 town.

24 And back to the fact that your traffic analysis
25 shows you're always going to have a backup on I-5, if

1 you're always going to have problems on I-5, no matter
2 what, then obviously you're going to have to widen I-5,
3 no matter what, and I'm sure that's not the alternative
4 you're going to select, since that's not what your
5 business does, you only do toll roads, but that's what
6 makes sense. That's what we should all be working
7 towards, is some redesign of I-5, definitely having more
8 lanes, and La Pata, and having maybe those combined as a
9 separate alternative.

10 If you are going to pick some toll road route,
11 which like I said, your analysis doesn't show the need,
12 but if you're going to have a toll road route, the
13 mitigation that you proposed for the hundreds of acres of
14 impact is completely inappropriate and inconsistent with
15 how other projects have mitigated their impacts. One to
16 one mitigation ratios for all habitat types and wetland
17 impacts, that's a -- that results in a known net loss.
18 We can't afford more net loss in southeast Orange County.
19 I mean this is it.

20 We shouldn't have to rely solely on Cleveland
21 National Forest for the mountain lion and deer and all
22 the other species to move through and to live in Orange
23 County, so I mean that's just ridiculous to have a one to
24 one mitigation ratio.

25 And then you propose some mitigation to occur in

1 upper Chiquita Canyon. Well, that doesn't help southeast
2 Orange County. That doesn't help the mountain lions and
3 deer and other species we have in east Orange County, so
4 that's an inappropriate area to mitigate. 7 foot high
5 fencing, that's not high enough for deer, it needs to be
6 at least 8 feet. I don't even think that's adequate for
7 mountain lions to prevent them from getting on the road,
8 so you're going to have to look at that. I don't see how
9 you're going to say that any of these toll road options
10 are the least environmentally damaging proposed
11 alternative, under the Corps' regulations. That's really
12 what I-5 and widening La Pata provide you.

13 There is so many reasons to not have this toll
14 road from an environmental standpoint, from a -- the fact
15 that it's not necessary, people aren't going to use it,
16 people aren't going to pay to drive on this road, it's
17 not really going to alleviate the traffic you say, and
18 it's out of sequence with the other planning that is
19 going on in the area, and even the Ranch plan, as they
20 propose right now, is hideous, but they say that even
21 with 14,000 homes, they don't need this toll road, so I
22 just don't understand the need. I guess that's it.

23 DANNI MEYERSON: My name is Danni, D-a-n-n-i,
24 Meyerson, M-e-y-e-r-s-o-n. I am definitely opposed to
25 any version of the toll road.

1 I'm a wildlife biologist and have a lot of
2 personal research experience in the land that would be
3 directly affected, and even the lands that I'm not
4 familiar with, I'm still trying to defend. I know them
5 pretty well just from growing up, just from have
6 growing -- having grown up here, and I'm concerned about
7 its status as a biological hot spot, and that is being
8 ignored, down-played a lot. It's important in the grand
9 scheme of the world's ecology and biology. I think I
10 said, I said in my speech, this is the most diverse and
11 unique spot in the entire continent. We have the most
12 unique species, the most endangered species, the best
13 convergence of the ocean, and the desert, and mountains,
14 and hills and the oak savannah. It all comes into one
15 spot, and we have this amazingly productive ecosystem
16 that every scientist in the world wants to study and
17 protect.

18 There has been a huge international pouring out
19 of support for the nonprofit groups and for all the
20 people opposing development back there, that probably
21 hasn't been given enough public attention. I know it's
22 been happening, I know a lot of people have been going to
23 Sacramento for the last decade or so with their different
24 reports and everyone is trying to save this, and I think
25 that international opinion, scientific opinion also needs

1 to count and -- because it seems to me that here in
2 Southern California everything is dictated by the
3 financial benefit of developers and the contractors, and
4 it's getting to the point where this entire county,
5 entire Southern California is turning into one giant
6 block of cement, and we're losing everything, and it's
7 not okay.

8 We can't -- we can't have a few people who are
9 always looking for business and diverse destroying the
10 world. Destroying this most important spot of, you know,
11 North America, for the sake of a road which the validity
12 and necessity is doubted on every level. And what else
13 do I say?

14 I don't know, as a young person dedicated to
15 conservation and preservation of these lands, I get
16 really discouraged by what older people are doing, and I
17 know that people hate that argument, old people are
18 ruining things and blah, blah, blah, because there are
19 lots of older people here saying their stuff and
20 defending the environment, but truth is, most of these
21 big business partners that are promoting the road and
22 doing the research and writing up these bum reports
23 aren't going to have to suffer the consequences of
24 California that's totally devoid of anything but human
25 life and is totally paved over and polluted and

1 disgusting, and I'm going to have to live with it.

2 It's not all right for me. It's not all right
3 for all the other kids that are going to have nothing, no
4 birds, no land, no grass. It's not okay for the animals.
5 It's not okay for the ocean. It's just there has to be
6 an end to financial pursuit. Has to be an end to it.
7 And there is just this one tiny bit of open land here,
8 and it happens to be the center of North American
9 ecology, and it's just stupid to think that a road, as
10 contested as it has been, and isn't wanted, and isn't
11 very feasible, isn't very convincing, is even an option,
12 and that this development is even an option when we're
13 sitting on this gem.

14 So I'm just going to keep fighting, and
15 hopefully in a few years, when I'm more influential as a
16 scientist there's still going to be something to fight
17 for. I'm not sure there will be, because even in the
18 last few years, most of the land that I've studied on and
19 worked on has been destroyed, but hopefully there will be
20 something here for me and for my kids and for the animals
21 themselves because they deserve as much attention, as
22 much love and support as our kids do.

23 That's all I have to say. We need to save this
24 land, and there can't be any compromise. There is no
25 such thing as mitigation when what you're losing is an

1 entire ecosystem. There's no replacement for open space,
2 there is no replacement for death. You can't just tell
3 fox, and you can't tell coyotes, and you can't tell
4 mountain lions to find a better home. There is no such
5 thing as mitigation. We've got one tiny little piece
6 left. It's a little tiny island of life, and it's
7 suffering from pollution and from invasion by nonnative
8 species and roads and from people and from all kinds of
9 crap, and we need to just let it exist for its own sake,
10 because it has intrinsic value, better of financial
11 value, monetary value.

12 Something that wasn't spoken about today was the
13 Channel Islands Marine Preserve, the Marine Sanctuary,
14 the National Marine Sanctuary, and the Channel Islands is
15 in itself a marine hot spot, which is the marine
16 equivalent of what we have here on land, and this stops
17 here, it's a little bit north, and one of its greatest
18 threats is urban runoff and pollution and sedimentation.
19 This is definitely going to affect -- affect the decline
20 of species that rely on this underwater world, and I wish
21 that whoever is reading this could see the runoff that
22 the Surf-Rider Foundation kid brought in on the way up
23 here, just put it in a bottle right off the freeway. It
24 was black sludge that is going into our oceans, and that
25 would be coming off in -- I don't know how many gallons a

1 year from this new road, and from the construction and
2 from the by-products and waste. It's going to flow into
3 the ocean, and it's going to further destroy Channel
4 Islands Marine Reserve, Marine Sanctuary.

5 So there isn't one single effect. You can't say
6 that a single effect would be open space, or the single
7 effect would be on air quality, or the single effect
8 would be on quality of life or noise or anything. There
9 is no single effect, everything is tied. The world
10 doesn't know bounds, it doesn't have human reasoning,
11 it's all a net, and we're part of it. Once you
12 destroy -- there is a ripple effect that affects
13 everything underneath it, everything within a huge radius
14 of it, and it's not going to stop with nature or what we
15 perceive as nature. It's going to stop when everything
16 is gone, when everything that it wants to destroy is
17 gone. Because we're part the net, and we've got to go.
18 If we're going to destroy it, we've got to suffer the
19 same consequences. And we might go more slowly, because
20 we have the technology to protect ourselves from it for a
21 while, but we can't live without these things out here.
22 we can't live without predators and without birds and
23 without soil, without plants. They keep us alive, and we
24 owe them, and we owe them dignity.

25 So that's why I'm asking for this one piece of

1 land, this most important, most biologically diverse, I
2 mean most biologically diverse, most ecologically
3 critical and threatened land in North America to be set
4 aside, to be saved, and to keep roads and development and
5 the rich out.

6 I think one more thing is that I resent the
7 argument that the proponents of the toll road have made
8 about making a scientific rather than emotional plea to
9 stop the toll road, because people get involved with
10 nature and with issues and with communities because they
11 are emotionally affected by them, and there is nothing
12 wrong an emotional basis for an argument. It's wonderful
13 that I love nature. It's wonderful that there are people
14 out there who love hiking and who would rather save 10
15 oak trees than put in one house, and that's an emotional
16 issue, and it's stronger than science, because the
17 science is arbitrary.

18 It depends on who you are hiring. I'm a
19 scientist who says we can't afford to lose this. There
20 are other scientists that are saying we can't afford not
21 to lose it. Geologist saying we need this road. The
22 land manager who says there is plenty of open space.
23 They are scientists, they have biases, and therefore
24 their science is arbitrary. What's definite is emotion,
25 and devotion to a cause, which is emotional, so I don't

1 think that any emotional reaction or any emotional basis
2 for argument can be discounted, because that's what
3 people are made of.

4 Unless it's your career, unless you're sent out
5 there to find data and to be objective, you're only going
6 to get involved because you love something, because you
7 believe in it, and that's emotional, so I really resent
8 the people who go out there and tell me not to speak from
9 my heart, and the people who are arguing that we're
10 fighting this because we're lazy, and because we don't
11 want roads, and because we don't work anywhere, we just
12 go to the beach. It's an insult. We're as hard working
13 and as socially conscious and as family oriented as all
14 the people that are arguing against us, but we want our
15 open space, and we respect nature and its right to exist,
16 and we love coyotes, and we love birds, and I'm just as
17 right as they are. I'll stop there.

18 JODY PIKE: Jody Pike. We urge you to stop
19 plans of the toll road and to prevent any further
20 development in South County. Everyone knows that the
21 purpose of the toll road is to open up more open land for
22 development.

23 We are told, of course, that the traffic demands
24 more highways, but another road is not going to solve
25 anything if more houses are built and more traffic is

1 produced because of the road. The argument is that there
2 is a housing shortage in Southern California, and we must
3 build all the houses we can. Has anyone thought about
4 what happens when all the land in Orange County is
5 covered with houses and homes and there is no open space,
6 no wilderness, no wild animals, more smog, more traffic,
7 and no one can go anywhere because of gridlock? The
8 beaches will be overcrowded and polluted, and the sand
9 will disappear, because the last remaining wild rivers,
10 the source of sand, will be lined with concrete to
11 protect the houses and roads. Is this the kind of future
12 you want for Orange County? It's not the one I want, and
13 I don't think it's the one most people want. The only
14 ones who want continued unplanned growth are the
15 politicians and the developers. Since growth will have
16 to stop eventually, why not start slowing down now while
17 we still have a decent quality of life in Orange County.
18 we urge you to stop any further plans for the toll road
19 and the development.

20 PATTY CLARKE: Patty Clarke, C-l-a-r-k-e.

21 Dear sirs, we have lived in Orange County for
22 over 35 years, and are writing to support the alternative
23 proposed by the TCA, quote, to nothing at all, unquote,
24 about the toll road or other alternative proposals.
25 Everyone knows that the purpose of the toll road is to

1 open up more open land for development. We're told, of
2 course, that traffic demands more highways, but another
3 road is not going to solve anything if more houses are
4 built and more traffic is produced because of the road.

5 The argument is that there is a housing shortage
6 in southern California, and we must build all the houses
7 we can. My question is has anyone thought about what
8 happens when all the land in Orange County is covered
9 with houses and roads and there is no open space, no
10 wilderness, no wild animals, more smog, more traffic, and
11 no one can go anywhere because of gridlock? The beaches
12 will be overcrowded and polluted, and the sand will
13 disappear, because the last remaining wild rivers, the
14 source of sand, will be lined with concrete to protect
15 the houses and roads. Is this the kind of future you
16 want for Orange County?

17 It's not the one I want, and I don't think it's
18 the one most people want. The only ones who want
19 continued unplanned growth are the politicians and the
20 developers. Since growth will have to stop eventually,
21 why not start slowing down now while we still have a
22 decent quality of life in Orange County. We urge you to
23 stop the spread of development and the extension of the
24 Foothill-South freeway.

25 BRUCE ACKERT: We are Bruce and Lee Ackert from

1 912 Camino Ibiza, San Clemente. We vehemently oppose any
2 solution of extending the toll road that would dump
3 traffic onto Pico or disrupt San Clemente downtown in any
4 fashion whatsoever. We support the road going down
5 alongside Camp Pendleton. It is least disturbing of the
6 residents of San Clemente and the businesses that would
7 be disrupted if the road would terminate and dump traffic
8 in the vicinity of Pico.

9 CHRISTINE BRYDEN: My name is Christine Bryden,
10 B-r-y-d-e-n, and I live in Talega. I'm here to speak in
11 favor of the toll road for the far eastern -- either of
12 the three far eastern routes. The three inner routes
13 would just cause more congestion on Pico, would cut
14 through the middle of our subdivision, and would take
15 away at least five or six holes on the golf course, so
16 I'm not sure that in our estimation doesn't work. I mean
17 quality of life would be -- we would have to move. But
18 we are in favor of any of these three that go around the
19 back side of Talega and go out, and we feel there is a --
20 there is a need for the toll road, and that's all.

21 PETER BRYDEN: My name is Peter Bryden,
22 B-r-y-d-e-n. I'm a resident of San Clemente, and I'd
23 like to express my largest concerns with the proposals
24 that would call for arterial improvements at La Pata,
25 Pico, and the alignment 7 corridor that dumps into Vista

1 Hermosa. Those proposals appear to be -- I should say,
2 they would contribute negatively to the quality of life
3 for all the people in San Clemente, as I see it. I would
4 like to say that I'm most encouraged by the proposals to
5 move the toll road as far east as possible. Any of those
6 three alternatives that are shown as green, light purple,
7 or dark purple on the map are practical, practicable
8 alternatives, and I'm in favor of seeing that part of the
9 proposal be built. That's it. Thank you.

10 JOHN BENNETT: My name is John Bennett. I am
11 here on behalf of myself, my son, Andrew, and my wife,
12 Francis. We oppose the toll road. The central corridor
13 would either take out our house or pass directly in front
14 of it. It would carve up our community, Pacific Crest.
15 I oppose the toll road also for reason of noise, visual
16 blight, and any effect it would have on the preservation
17 area. I hold a master's degree in environmental
18 resources management. I'm a science teacher. Thank you
19 for this opportunity to express my opinion.

20 TOM MEADE: My name is Tom Meade, M-e-a-d-e.
21 I've been living and surfing in the San Clemente area for
22 the past 25 to 30 years, and the Trestles area is very
23 near to my heart and my family's heart because of the way
24 it looks, its natural state, and it's actually the last
25 hold-out in Orange County as far as beaches being paved

1 over and concrete everywhere. And like I said before,
2 it's a natural habitat, and that San Mateo Creek area is
3 full of wildlife that is very rare in -- to California.
4 And that's about all I have to say, and just very
5 important to me that it stays natural. Thanks.

6 PATTIE MEADE: My name is Pattie Meade, and I am
7 dead set against extending the toll road any further than
8 what it is now. The environment in that area is so
9 fragile, it's one of the fastest eroding environments in
10 the world. It's one of the hot spots of the world, and
11 to even think about putting a toll road anywhere through
12 the San Onofre State Beach area and just the land inland
13 from that area is insane.

14 When I moved out to California 35 years ago,
15 there was so much open space, and this place was just
16 everything I'd ever dreamed about, and now there is like
17 hardly any open space left. This is the last part of it.

18 The toll road agency has proved that they can't
19 control what they build. They can't control their
20 finances. It's too expensive for me to even go on the
21 toll roads. They can't control their runoff, and even
22 though they say they can control it, look at what
23 happened in Laguna Beach area there, and it's a mess with
24 all the animals that were killed. All the environmental
25 degradation that happened. It's crazy to allow them to

1 continue to build this.

2 Not to mention the O'Neill wildlife, O'Neill
3 Conservancy, that it would cut right through the San
4 Onofre State Beach. It's just -- we have to save
5 something for our kids, and this is the last place. If
6 they build the toll road, there will be nothing more than
7 development after development after development in the
8 last place in Orange County left. I surf down in -- at
9 the ocean there, and it's one of the only places in
10 California that has clean water that we don't have to
11 worry when it rains, and this roadway would go right
12 through the San Mateo watershed, and it would destroy
13 that.

14 I teach science in middle school in Santa Ana,
15 and we try so hard to teach the kids to respect the
16 environment, but at the rate that building is going on,
17 there won't be any environment to protect if this toll
18 road goes through. Thank you.

19 LANA MEADE: I'm Lana Meade, and I'm opposed to
20 the toll road for many reasons. A lot of these have to
21 deal with Trestles surf area. I've been going to this
22 area my entire life, and my parents basically brought me
23 up on these beaches.

24 And the creek that's right there, San Mateo
25 Creek, is full of threatened and endangered species that

1 will have no home if this toll road goes through in this
2 area.

3 And all of the extra congestion in San Clemente
4 where I live is definitely not needed by bringing the
5 toll road down, and with the San Clemente high school
6 which is right on Pico, and there is enough traffic there
7 to begin with just from the high school, and this toll
8 road is not needed and should just be connected, so thank
9 you.

10 MIKE ERICKSON: Mike Erickson. At Huntington
11 Beach we have what's called wetlands. Many people
12 photograph and go to visit this area, residents and
13 outside people visitors.

14 To me, Trestles is similar in that it's a
15 natural wonder. Trestles is a place I can go to relax.
16 It's like no other beach along our coast. Many beaches
17 are sand bottomed and overdeveloped and dirty. Posted
18 signs of pollution are put up all the time. Waves that
19 break here along Trestles break in an unusual way, the
20 way that many surfers all around the world enjoy. Those
21 that live here and those that come from out of the county
22 or state or the country, whatever. To me, Trestles is
23 one of the last undeveloped beach areas. The natural
24 wonder of Trestles alone should be enough reason to be
25 very diligent in its preservation.

1 I would be very bothered to see such a special
2 place which so many people, including myself, have
3 enjoyed over the years to be changed forever by
4 overdevelopment to this area. This is a precious place.
5 This is the last stretch of clean water. It is also an
6 untampered ecological system which a toll road would
7 influence, I believe.

8 I am opposed to the construction of the
9 Foothill-South toll road. This is also known around the
10 world as a world class surfing area. This is why I'm
11 here to stand up for this, stand up for this cause. I
12 think the future generations can continue to enjoy its
13 unique beauty if we care for Trestles now, and you can
14 underline now. That's all. Thank you.

15 CHUCK WAGSTER: My name is Chuck Wagster. I'm a
16 long-time resident of South Orange County. I am
17 completely opposed to the building of this toll road. I
18 believe it will destroy some of the last remaining open
19 space in a county that is really overdeveloped, and it
20 would be a total shame to destroy this and not preserve
21 it for the future generations. The previously built toll
22 roads have caused quite a bit of environmental damage to
23 the parks and open space areas that they go through, and
24 it would be a shame to build a new toll road through this
25 last undeveloped area. That's it.

1 IRMA WAGSTER: My name is Irma Wagster, and I
2 have lived in Mission Viejo for over 15 years. I am
3 opposed to all the alternatives suggested for the
4 Foothill-South toll road. I believe that the impact that
5 it's going to have on our environment is detrimental. I
6 have seen how the population has grown, and the effect
7 that it has had already on our environment, and
8 additional pollution, noise, traffic, that has been
9 created, and the addition of the toll road would mean
10 that this would continue.

11 So I believe this -- the plan to build the toll
12 road is a very bad plan, and it's going to harm our
13 environment even further. I believe that we need to
14 protect all future generations. Thank you.

15 ERIC HOLMES: My name is Eric Holmes. I'm a
16 resident of Costa Mesa, California. I've grown up in
17 southern Orange County most of my life, and I've been
18 here 20 years. I'd also like to state I've been using
19 Trestles Beach, San Mateo Canyon watershed area for all
20 those 20 years. The area that is one of the only
21 nonrunoff contaminated beaches left in all of Southern
22 California. As the father of children, it is a place I
23 can comfortably bring them and not worry about exposing
24 them to contaminants, which is a problem back where I
25 live in Newport Beach area. I basically won't even take

1 my children to the beach there.

2 TCA's basic argument is that with -- without
3 building roads, gridlock will continue. My argument is
4 if you build more roads, it's going to bring more cars
5 and more development, is just an issue to develop the
6 remaining back country of the Orange County area.

7 Also, I'd like to state the problem with the
8 development is also water. I don't know where the water
9 will come from for the proposed development.

10 Also, the alignment that goes through the
11 eastern portion through San Mateo Creek, San Onofre State
12 Beach, would be the most devastating to the local area.

13 I'm out of stuff to stay, but I'd just like to
14 object on record as a long-time resident of southern
15 Orange County that the toll road is not going to help
16 relieve congestion in the area, it's going to create
17 more, and the eastern alignment is completely
18 unacceptable. Thank you.

19 AL SCAFFATICCI: My name is Al Scaffaticci, and
20 I'm a resident of Ladera Ranch, California, and I'm a
21 long-time resident of south Orange County, and I just
22 want to voice my support of the far east modified route
23 for the south segment. Good luck and best wishes.

24 LEN VANDERLINDEN: My name is Len Vanderlinden.
25 I live in the Los Angeles area and have traveled the I-5

1 freeway to the San Diego area many times, and very
2 frustrated with the amount of traffic that is on the 5
3 freeway. I think that many of the alternatives that have
4 been chosen are great options to improving the traffic
5 flow, helping to mitigate the idling traffic and air
6 pollution, and moving people along. The three eastern
7 alignments of the corridor appear to give the most value
8 to the travelling public and to the people in the south
9 Orange County area, and I would be very much in favor of
10 one of those three alignments being developed for Orange
11 County.

12 JOE SAWTELLE: My name is Joe Sawtelle, and I
13 just want to speak out for building either one of the
14 three eastern alternatives. I live in Mission Viejo, and
15 the traffic on I-5 is really bad already, and all the
16 building down in San Clemente and everywhere else and the
17 housing demands is just going to get worse. These three
18 alignments would do a great job in alleviating traffic on
19 I-5, and I hope they get built soon.

20 DIANA RODGERS: My name is Diana Rodgers. I
21 live in Mission Viejo. I am totally against the toll
22 road, and I'm here also representing several of my
23 neighbors, almost every one of them, except one who
24 happens to be a builder. They are all against the toll
25 road. They haven't come today because they feel the

1 government won't listen to them anyway, so it's
2 pointless.

3 I'm asking the government to listen to the
4 people that came here today and do what the majority of
5 them want, which is not to have a toll road. The
6 environment has already sacrificed too much. I've been
7 here 27 years. I worked on the toll road so I know
8 exactly what it does to an area more from the building
9 part of it. And living here, I've seen the animals that
10 were there when I started working on it, and I know there
11 were none of them left a year and three months later.
12 This is something this area cannot afford.

13 we've been taking open space. The urban sprawl
14 is almost up to our national forest. There is very
15 little left. We have one section left, and we need to
16 preserve it. Please listen to the people. Governor
17 Schwarzenegger says he's governor of the people, please
18 do what the people of the area want, and that's no toll
19 road. Thank you.

20 COLEMAN RODGERS: My name is Coleman Rodgers,
21 and I'm against the toll road, because toll roads are
22 economically not working in Orange County. I worked on
23 one of the toll roads that was built in Orange County.
24 I've seen the devastation. Toll roads do not relieve
25 traffic, it's been proven. All they do is bring new

1 homes. We don't need any more homes in Orange County,
2 one of the ten most populated counties in the United
3 States, so I feel there is enough homes and enough people
4 here already. Thank you.

5 JACKIE NEVINS: My name is Jackie Nevins, and I
6 think the traffic on the 91 and the 5 would just be
7 getting worse, and it would not benefit the other people,
8 and I also think that it will be bad on the wildlife and
9 the animals. They have no place to go. It runs them out
10 of their area, and the pollution in the air would be
11 worse, and the beaches and all of the good environment.
12 Thank you.

13 RIMA HAROUN: My name is Rima Haroun, and I am
14 in favor of the toll road. Actually, my parents live in
15 Silverado Canyon, and the toll road was built behind
16 their house, and everyone was objecting to it, and it
17 really didn't impact them, and I have a feeling it will
18 be the same way here. So we were objecting to it then,
19 too, but now that we saw it's helped us, I think now that
20 I live in Mission Viejo it will help me and give me
21 another alternative to make it down to La Jolla where my
22 sister lives, as opposed to traffic on the 5. That's
23 all.

24 LILLY SAWTELLE: Lilly Sawtelle. I live in
25 Mission Viejo, California, and I support the extension

1 for the toll road simply because there is just too much
2 congestion on the 5 freeway, and we do need alternative
3 means down to San Diego and further south, and that's it.

4 HANY HAROUN: My name is Hany Haroun, and I'm a
5 resident of the City of Mission Viejo, and I'm in favor
6 of the proposed Foothill-South toll road project. Just
7 knowing that development in south Orange County is going
8 to continue to increase, I'm looking for alternatives,
9 and I think connecting the 241 down to I-5 is going to
10 alleviate traffic in this area, and I think it's
11 something that needs to get done. Because the 5 freeway
12 right now is already putting a lot of traffic on -- there
13 is a lot of traffic already on the I-5 freeway. I
14 already know my commute, I take the 241 to work every day
15 from Mission Viejo, and so I already try to bypass the
16 I-5. So I'm in favor of this proposed project, because I
17 think it's going to help out the residents in Orange
18 County.

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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss

3

4 I, KATHY BAUERNFEIND, a Certified Shorthand
5 Reporter, do hereby certify:

6

7 That said proceedings were taken before me at
8 the time and place therein set forth and were taken down
9 by me in shorthand and thereafter transcribed into
10 typewriting under my direction and supervision;

11 I further certify that I am not in any way
12 interested in the outcome thereof.

13 In witness whereof, I have hereunto subscribed
14 my name.

15

16 Dated: _____

17

18

19

Kathy Bauernfeind

20

CSR No. 11921

21

22

23

24

25



Trestles Community

June 19, 2004

Frederick G. Wright
Executive Director
Federal Highway Administration

REC'D JUN 19 2004

Re: Foothill-South Toll Road

Dear Mr. Wright:

As long-time residents living in south San Clemente, we in the Trestles Community are opposed to the building of the last section of the proposed 241 Toll Road that will intersect with Interstate 5 corridor, including the following proposed alignments:

- 1) Alignment 7-far east crossover modified
- 2) The central corridor alternative
- 3) The far-east corridor-west alternative

Each of the above proposed alternatives represent severe environmental and physical impacts to the Trestles Community in south San Clemente, which cannot be mitigated to any level of acceptance. Impacts include excessive noise and air pollution, water pollution to San Mateo Creek, light and glare to the Trestles Community, destruction of the San Onofre State Beach Park, the Donna O'Neill Land conservancy, as well as disruption to land management practices on Camp Pendleton.

Based upon the Transportation Corridor Agency's (TCA) traffic analysis, the I-5 widening alternative provides the most traffic congestion reduction. This alternative will benefit over 29 locations within the circulation study area and is by far the most environmentally sensitive and least physically disruptive impact to the Trestles Community.

Furthermore, the I-5 alternative substantiates the fact that traffic demand is being generated intra/interstate and not intra-county. Therefore, implementation of the I-5 alternative is a state and federal need and should be fully funded by the State and Federal agencies.

FrederickG. Wright
Page 2

Additionally, the TCA's traffic study indicates that the intra-county traffic demand could be alleviated through the implementation of the County's Arterial Only Alternative and not through the construction of any of the Foothill South alternatives noted above. To accommodate intra-county traffic demand and, further, to reduce congestion on the I-5 corridor, the Avenida La Pata alternative would represent an enhancement beyond just the completion of the County's Arterial Improvement Only Alternative, exclusive of the three proposed 241 extensions.

Therefore, by implementing the Arterial Improvement Only Alternative and/or the Avenida La Pata improvement, the severe environmental degradation and physical impacts to the Trestles Community, the San Onofre State Park, and the Donna O'Neill Land Conservancy would be totally avoided. This would provide the best cost benefit to the community and would not disrupt the Camp Pendleton land uses and activities.

The Environmental Impact Report/Environmental Impact Statement is inadequate and needs to provide a detailed traffic evaluation/analysis of the combined congestion reduction benefits of the I-5 widening/Arterial Improvement Only Alternative and/or the Avenida La Pata improvement. The revised study should include the following combination alternative:

- 1) The I-5 corridor is improved with one new lane in each direction
- 2) The County Arterial Improvement Only Alternative and/or Avenida La Pata highway network is fully implemented and improved simultaneously.
- 3) All TCA-Caltrans noncompetition/highway improvement clauses are eliminated from impeding any I-5 corridor improvements.

T-2

Sincerely,



Steve Haubert
Margo Beauchamp
137 Avenida Santa Margarita
San Clemente, CA 92672

REC'D JUN 19 2004

Appendix C

Comments Received on the TCA Website

Run Date: 1969/12/31

Run Time: 16:00:00

Web (Email)

TRANSPORTATION CORRIDOR AGENCIES EIS COMMENTS

| Name | Address | Type | Comment |
|------------------------|--|--|---|
| LAW STEVEN | 125 PACIFICA IRVINE CA 92618 | Project Alternatives | this is a test. |
| LAW STEVEN | 125 PACIFICA IRVINE CA 92618 | Floodplains, Waterways, and Hydrologic Systems | 4.8 |
| GUTIERREZ SEBASTIAN | 125 PACIFICA IRVINE CA 92618 | General Comment | This is a general comment entered by Sebastian for testing purpose. Please disregard this comment. It was only entered to test the live web form. |
| TEST | CA | Other Section of EIS/SEIR | test |
| | CA | General Comment | zzz |
| | CA | General Comment | test |
| COLSTON JAMES | 20 SWALLOWS LANE TRABUCO CANYON CA 92679 | General Comment | Please send me a CD of the Draft EIA/SEIR. Thank you. James Colston 20 Swallows Lane Trabuco Canyon, CA 92679 |
| | | Noise | Noise generated by routing the 241 through San Onofre SP will destroy character of the inland section of the park, including San Mateo Campground. |
| | | Land Use | Routing a major freeway through public open space, especially a popular state park, is not acceptable. These areas have been set aside for public use and enjoyment and for the benefit of future generations. |
| | | Coastal Zone | The choice of any of the three 'Far East' corridors will have an unacceptable impact on San Onofre State Beach as well as the Trestles surfing area. This area is a well-used state beach and should be protected as such. |
| | | Affected Environment, Environmental Consequences, | Southern Orange County is a biological hotspot. Construction of 241 South will have immeasurable negative impacts of the environment of this area. Scenic qualities, endangered species habitat and wildlife corridors will be destroyed. |

and Mitigation
MeasuresWild and Scenic
Rivers

The choice of any of the three 'Far East' corridors will negatively impact the free-flowing nature of San Mateo Creek. This creek is known to support endangered species and its upper reaches are protected as wilderness. The inland portion of San Onofre SP, as well as the San Mateo Campground, should be off-limits to road building.

General Comment

As a frequent visitor to the San Clemente area, it is important to me that I comment on the proposed extension of 241 south. Extending the Toll Road is a miss-guided endeavor. Foothill South will not meet transportation needs, but rather serve as an access road for new development. OC should reject any project which will generate more sprawl. The county should instead concentrate on smart growth and public transit, locating homes and businesses close to one another and preserving open space. The land in South OC should be set aside for its scenic and wildlife qualities. If the 241 is extended, under no circumstances should it be routed through San Onofre State Park, Donna O'Neill Land Conservancy nor any other protected area.

KUO BENJAMIN 2817 WINTHROP AVE.
ARCADIA CA 91007

Water Quality

I am a surfer who frequents the San Onofre State Beach almost weekly throughout the year. Water quality is a big issue for me. I would like the responsible agency to minimize polluted runoff into San Onofre creek in order to maintain our current water quality, which isn't that great to begin with.

KUO BENJAMIN 2817 WINTHROP AVE.
ARCADIA CA 91007

Project
Alternatives

I am in favor of the more inland route alternatives as they will be less disruptive to housing and development in the area, which is why we are building the road in the first place.

PAQUETTE-
RICHARDSON
CATHERINE 34619 CALLE
PORTOLA
CAPISTRANO
BEACH CA 92624

General Comment

I am strongly in favor of building the Arterial Improvements (Antonio Parkway), the Central Corridor, and the Far East Corridor -West. Our coastline waters from San Onofre through Dana Point is truly deteriorating from the increasing influx of traffic. More grime and soot and air pollution are depositing into the oceans from the traffic. There has been a constant building of businesses and homes, however, the building of roads and highways have fallen behind. The building of these highways and roads (and/or limiting the building of businesses and homes which will not happen), will start to stop the decline of the standard of living in this area.

I am not in favor of widening the I-5 especially along the coastline from San Onofre to Dana Point. It is already a menacing contributor to the pollution of our beaches, not to mention the air quality. It is also already a huge freeway. If anything I'd like to see it relocated away from the coastline! Too bad that is not being considered.

LOLL ROBERT 645 S.
MORNINGSTAR
DRIVE
ANAHEIM CA 92808

Historic and
Archeological
Resources

It appears that the proposed alignments might impact the 1769 campsites of the Portola expedition, namely the Mission Vieja and Cristianitos Canyon campsites. It also appears that the proposed project could impact numerous other significant historic and prehistoric sites, including, but not limited to, Panhe, a historic and prehistoric complex of villages and associated cemeteries. Thank you.

Robert A. Loll (individually and not for the CCRPA)

SVOBODA JORGE O. 821 AVENIDA
SALVADOR
SAN CLEMENTE
CA 92672

General Comment

What is it wrong with the bureaucracy of this country? We need more roads!!! We need this one and many more before we choke. We used to build them and we were proud of the California Freeways which were famous all over the world. Stop the nonsense and build the "Far East Corridor-Modified (FEC-M)" with an additional major highway to connect to the Temecula Valley which it is now isolated. Gentlemen do your duty and proceed ASAP!!!

W-1

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| BROWN RICHARD | 1 BLAKEMORE LADERA RANCH CA 92694 | General Comment | Central Corridor - Avenida La Pata Variation seems to be the most environmentally friendly choice, while still allowing for the alleviation of traffic congestion on the 5fwy. Please consider the potential damage to the Trestles beach estuary, as I would like for my children to enjoy this same beautiful wetland that I was able to utilize growing up. |
| MAY PATRICK | 6021 E. PASEO RIO AZUL ANAHEIM HILLS CA 92807 | Traffic and Circulation | <p>I support the southern Toll Road because of its potential to ease the traffic in south county. If I could have the option of completely circumventing Orange County traffic as I travel south to San Diego County that would be optimal.</p> <p>As a Fastrak customer I have always appreciated the option of saving time. Please give the southern corridor a chance.</p> <p>Patrick May.</p> |
| NESPOR DENNIS | 1601 AVE. SALVADOR SAN CLEMENTE CA 92672 | Project Alternatives | I am in favor of the far east corridor, options FEC-M and FEC-W. First choice is FEC-M. |
| NESPOR DENNIS | 1601 AVE. SALVADOR SAN CLEMENTE CA 92672 | General Comment | We need to end the congestion on the 5 NOW. The completion of the 241 behind San Clemente is our only alternative. |
| BRYAN JERRY | 2121 CALLE OLA VERDE SAN CLEMENTE CA 92673 | Noise | As I said before there is all ready to much noise from the 5 FWY right now with out making more to the left if you use the Pico or th Central Corridor. |
| BRYAN JERRY | 2121 CALLE OLA VERDE SAN CLEMENTE CA 92673 | Project Alternatives | The far east corridor Modified or the alignment7 Corridor woulde the best chose. |
| BRYAN JERRY | 2121 CALLE OLA VERDE SAN CLEMENTE CA 92673 | General Comment | We all ready have a high noise element with the 5 FWY. I think the picoor Central corridor is a bad plan. |
| JONES GREG | 207 CALLE POTRO SAN CLEMENTE CA 92672 | Affected Environment, Environmental Consequences, and Mitigation Measures | ALL EASTERN ALTERNATIVES WOULD NEGATIVELY IMPACT THE ENVIRONMENT IN THE SAN MATEO CREEK AREA. DON'T DO THIS!!! |
| JONES GREG | 207 CALLE POTRO SAN CLEMENTE CA 92672 | Project Alternatives | ALL ALTERNATIVES TERMINATING AT SAN ONOFRE SHOULD BE AVOIDED. THE SAN MATEO CREEK AREA IS ONE OF THE FEW NATURAL AREAS REMAINING IN THE ORANGE COUNTY AREA AND SHOULD BE PRESERVED |
| JONES GREG | 207 CALLE POTRO SAN CLEMENTE CA 92672 | General Comment | THE EASTERN CORRIDOR ALTERNATIVES ARE THE LEAST DESIRABLE IN THAT THEY WOULD OPEN UP MORE PRISTINE AREA TO DEVELOPMENT, RESULTING IN FURTHER DETERIORATION TO OPEN SPACES |

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| HORVITZ JAMES | 8 CRAFTSBURY PLACE LADERA RANCH CA 92694 | Project Alternatives | <p>I am a Ladera Ranch resident whose home backs onto Antonio Parkway. I am not concerned about increased traffic on Antonio if that alternative is chosen. My concern is that any of the options that do not extend the toll road to the 5 Freeway will leave Southern California with an inadequate system of freeways. Any place that I have had to travel from one freeway to another via surface streets has been extremely frustrating. This situation can be found in Pasadena, and at intersections of the 5 Freeway and the 101 Freeways in the San Fernando Valley. Every time I travel in these locations I wonder what the politics was that kept the logical, and convenient solution from being achieved.</p> <p>If the toll road is not extended to the 5 Freeway, then the quality of life in this area will be severely degraded.</p> | |
| HORVITZ JAMES | 8 CRAFTSBURY PLACE LADERA RANCH CA 92694 | General Comment | <p>I am a Ladera Ranch resident whose home backs onto Antonio Parkway. I am not concerned about increased traffic on Antonio if that alternative is chosen. My concern is that any of the options that do not extend the toll road to the 5 Freeway will leave Southern California with an inadequate system of freeways. Any place that I have had to travel from one freeway to another via surface streets has been extremely frustrating. This situation can be found in Pasadena, and at intersections of the 5 Freeway and the 101 Freeways in the San Fernando Valley. Every time I travel in these locations I wonder what the politics was that kept the logical, and convenient solution from being achieved.</p> <p>If the toll road is not extended to the 5 Freeway, then the quality of life in this area will be severely degraded.</p> | |
| ELLIS GEORGE | 158 RUPERTUS DR. SAN CLEMENTE CA 92672 | Land Use | <p>Are parks and sports fields/facilities considered as consistent land use anywhere along the easements of each alternative's easement along their right-of-ways? I strongly advocate the establishment of sports complexes that are integrated with the easements (similar to the San Joaquin Toll Road in Aliso Viejo/Laguna Niguel).</p> | W-2 |
| ELLIS GEORGE | 158 RUPERTUS DR. SAN CLEMENTE CA 92672 | Project Alternatives | <p>Does the EIS scope of each alternative cover the establishment of "green space" like parks and sports fields/facilities on/near the right-of-way easements? If not, I would like to see specific language that favorably addresses this issue added to the EIS.</p> | W-3 |
| ELLIS GEORGE | 158 RUPERTUS DR. SAN CLEMENTE CA 92672 | General Comment | <p>Does the scope of the EIS cover the establishment of "green space" like parks and sports fields/facilities on/near the right-of-way easements? If not, I would like to see specific language that favorably addresses this issue added to the EIS.</p> | |
| STIRRETT STEVE | SAN JUAN CAPISTRANO CA 92675 | Project Alternatives | <p>As a 25 year South Orange County resident, I feel that the southern extension of the 241 tollroad should not be completed. It runs across some unspoiled coastal land and would create more adverse development. I vote "no" for the extension.</p> | |
| CA | | Mineral Resources | <p>What about mineral resources?</p> | |
| SAN CLEMENTE CA | | Project Alternatives | <p>Why don't you wipe your own ass with the project plans....</p> | |
| SAN CLEMENTE CA | | General Comment | <p>Get lost with this toll road bullshit. Look at what you're doing, destroying families and their homes. You have enough freeways running up and down OC already. Pull your money from your own ass so you don't have to put homeowners in this situation. We live in paradise, not some metropolitan bullshit. This is a resort area. The last thing it needs is another friggin road going through it bringing congestion, traffic, more crowds and unwanted things. Take your tollroad bullshit to the desert. Fuck off!</p> | |

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| HILLERTS RODNEY | 2933 VIA BLANCO SAN CLEMENTE CA 92673 | General Comment | <p>I HAVE LIVED HERE FOR SEVERAL YEARS AND IN THE 70S WE WERE ALL CONCERNED ABOUT THE 5 FREEWAY SPLITTING OUR CITY IN HALF, WEST & EAST AS IT EVENTUALLY DID.</p> <p>I TRULY BELIEVE THAT MY BIGGEST CONCERN IS IF THE CENTRAL CORRIDOR WERE TO EMPTY ONTO PICO AND THE 5 WE WOULD THEN AGAIN BE CUT IN HALF AS BEFORE. ONLY NORTH AND SOUTH???</p> <p>THEREFORE I THINK THAT THE ONLY CORRIDORS TO TRULY CONSIDER ARE FAR EAST CORRIDOR MODIFIED-VIOLET...AND THE FAR EAST CORRIDOR WEST LAVENDER.</p> <p>THOSE TWO CORRIDORS IN MY OPINION WOULD BE THE LEAST IMPACT TO THE CITY AND WOULD PUT THE TOLL ROAD IN THE RIGHT ALIGNMENT TO AFFORD THIS CITY WITH ACCESS TO THE TOLL ROAD AND NOT BE CUT IN HALF AGAIN AS BEFORE.</p> <p>THIS IS ONLY MY IDEA AS TO WHERE THE TOLL ROAD IS TO GO, WHEN THE TOLL ROAD IS TO EXTEND.</p> |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | Noise | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | Wildlife, Fisheries, and Vegetation | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | Wetlands and Waters of the US | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | Cumulative Impacts | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | Project Alternatives | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| BEYMA MARK | 33611 VIA DE AGUA SJC CA 92675 | General Comment | The three alternatives that are the farthest east are acceptable. They have the least impact on existing residences and the environment. |
| ISAKSEN THOMAS | 17 VIA PACIFICA SAN CLEMENTE CA 92673 | Project Alternatives | <p>As a homeowner whose house is directly in the path of the Central Corridor routing alternative of the Foothills, I have to ask, why on earth would you choose the Central Corridor alternative when all the Eastern alternatives would bulldoze no houses and not impact the beauty of the highly-populated canyon bordering Avenida Pico here in San Clemente? The Eastern Corridor (purple routes on the alternatives map) appear to skirt all existing homes which is a much better routing. It also relieves the congestion on I-5 through the southern half of San Clemente that would result from dumping the toll road traffic on I-5 at Avenida Pico.</p> <p>Sincerely, Thomas M. Isaksen A very concerned citizen!</p> |
| WOOD STEPHEN & JANIE | 27 VIA PALACIO SAN CLEMENTE | Other Section of EIS/SEIR | n/a |

CA 92673

WOOD STEPHEN
& JANIE 27 VIA PALACIO
SAN CLEMENTE
CA 92673

General Comment To Whom It May Concern:

Upon reviewing the potential plans for the extension of the Foothill South - 241 Toll Road - we became concerned about the negative impact that this may cause to our home. This has prompted us to communicate our displeasure of the Central Corridor (CC), Central Corridor Avenida La Pata Variation (C-ALPV), and the Arterial Improvements (AIO). These 3 options are not preferred by us, and quite frankly, if implemented will have an incredibly negative impact on our home (located in the Mandalay Community). Upon reviewing the aerial map photo, it does appear that there are other viable options which would have less impact on our community. Options that would eliminate the need for any homes to be impacted. It is our opinion and position that these other alternatives be looked at more closely, as to avoid further discontent by us and the other homeowners in our community.

We would be happy to provide any further input regarding the extension of the 241 toll road. Any questions may be directed to us at our home, (949)388-8823.

We appreciate your understanding to this matter.

Sincerely,

Stephen & Janie Wood

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

Project
Alternatives

Improve our existing highways. The number one cause of accidents continues to be driver error. Drivers need to be better trained. We need to increase our highway capacity by increasing speed limits and excluding poor drivers from the system.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

Other Section of
EIS/SEIR

This project is not needed.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

General Comment

This road is not needed. The TCA has been wrong about so many of their projections, they cannot produce reliable projections.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

Energy

This project will waste energy.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

Visual Resources

This project will hurt our environment.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO
BEACH CA 92624

Water Quality

This road will impact our water negatively.

DREIS PATRICK 26411 VIA
CALIFORNIA
CAPISTRANO

Hazardous
Materials and
Hazardous Waste

This project will produce hazardous waste.

BEACH CA 92624 Sites

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| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Floodplains, Waterways, and Hydrologic Systems | This road will impact our water negatively. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Historic and Archeological Resources | This project will destroy resources. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Air Quality | This project will lead to declining air quality. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Coastal Zone | This project will increase water pollution. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Noise | This project will increase noise. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Pedestrian and Bicycle Facilities | There are no provisions for this use. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Coastal Barriers | This project will increase water pollution. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Socioeconomics and Environmental Justice | You are wasting money that could be put to better use. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Wild and Scenic Rivers | This project will hurt our rivers. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Farmland | We need farmland not highways. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Threatened and Endangered Species | This project will harm animals. |

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|---------------|---|--|--|
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Wildlife, Fisheries, and Vegetation | This project will harm animals. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Land Use | There are better uses for this land. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Wetlands and Waters of the US | This road will impact our water negatively. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Recreation Resources | This project will waste our resources. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Public Services and Utilities | This project will not help. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Paleontological Resources | This project will waste our resources. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Mineral Resources | This project will waste our resources. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Military Uses and Camp Pendleton | We need our military to be strong. These projects waste everyones time and energy that could better be devoted to the war on terror. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Earth Resources | This project will waste our resources. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Growth Inducing Impacts | This project is not needed. |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Cumulative Impacts | This project is not needed. |

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| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Affected Environment, Environmental Consequences, and Mitigation Measures | This road will harm the environment. | |
| DREIS PATRICK | 26411 VIA CALIFORNIA CAPISTRANO BEACH CA 92624 | Traffic and Circulation | This road will increase traffic. | |
| | CA | Other Section of EIS/SEIR | x | |
| | | Project Alternatives | <p>I am writing to express my support for the proposed Toll Road expansion plans, and also express my concern about doing the alternative plan of expanding of the I-5 freeway. My residence resides very close to the existing I-5 freeway. Upon inquiring about exactly what the impact would be on my home, I was informed that my house would not be being acquired to accommodate the freeway, but instead would just be negatively impacted by the closer proximity to the freeway. My house currently is over the back fence of a house that would be acquired to complete the project. This means that I would suddenly find myself sitting on the frontage road of the freeway instead of 160 feet from it as I am currently. I don't know what the impact of that proximity would be to the property value of my house, but I can only assume that it would be substantially negative. I DO know what the effect would be on my quality of life if I were to suddenly find myself sitting that close to the freeway. My understanding is that 843 homes w</p> <p>ould have to be purchased to do this option, which obviously impacts those people terribly, but it also impacts a substantially larger number of people who would be negatively impacted the way I would be with diminished quality of life from lower property values, higher noise pollution and air pollution, not to mention the inconvenience of having the project being built literally in my back yard for however long it took to complete. I would very much encourage those making the decisions to carefully evaluate the impact to the thousands of homes and businesses that will be turned on their heads if the I-5 widening project were ever to be implemented. Additionally the 2.4 billion estimated price tag for that alternative sounds to be the most expensive way of relieving congestion on the I-5 as well. In these days of budget constraints in the state, this too needs to be carefully considered.</p> | |
| | CA | Other Section of EIS/SEIR | s | |
| ROCCIO ELAINE | 28215 ZURBURAN MISSION VIEJO CA 92692 | Project Alternatives | East-west corridor from 405 east to 15 fwy. Over Oretaga Hwy, or some other route leading all the way into Temecula/Lake Elsinore area. | W-4 |
| ROCCIO ELAINE | 28215 ZURBURAN MISSION VIEJO CA 92692 | Other Section of EIS/SEIR | Push past the forest section in east Orange County and all the way to the 15 fwy.....or does Riverside county have to be the one to meet the Orange County boundry? Is there anything on the table with Riverside County to do so? | W-5 |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Project Alternatives | Once again, I am speaking to the alternative that is designated #1, which goes through new home developments where families have settled. Actually, I find all of the alternatives unacceptable and would like to see the road halted. | |

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| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | General Comment | Although there has been no notification to our homeowners, I am now aware that an alternative route would destroy my home and all the homes in my neighborhood. I bought this home new 5 years ago, with the intention of living here for many years. I find this an irrational alternative because it would devastate families. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | Growth will follow and therefore more traffic. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Visual Resources | The sight of this monstrosity will ruin the city and the coast. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Cumulative Impacts | There are so many that I can't believe that this effort is continuing. The toll road should not be moving forward. It has the capability of ruining many lives, especially if it destroys homes. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | There are no words that can fully explain the devastation any route would cause the environment in and around San Clemente. Once the environment has been destroyed by the toll road and the development that will follow, there can be no backing up. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Traffic and Circulation | If the alternative 1 were chosen, besides destroying homes, this would destroy the ambiance of San Clemente and the reason many of us chose San Clemente to live. Any route that dumps into either Pico, La Pata, or Vista Hermosa would cause traffic jams like we have never seen before. None of these roads were meant to carry the kind of traffic that would be sent our way. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Coastal Zone | Save our coast and the surrounding area from the toll road. |
| KOSINSKI JULIE | 48 CALLE MARAVILLA SAN CLEMENTE CA 92673 | Noise | San Clemente will no longer be the quiet sleepy surf town it is loved for. |
| REAGAN DARIN | 49 VIA SONRISA SAN CLEMENTE CA 92673 | Project Alternatives | Any of the alternatives that cut through or dead-end into city streets of San Clemente would be a DISASTER. A disaster for the homeowners whose homes would be bulldozed. A disaster for the businesses and churches along I-5 that would also be flattened. A disaster for the citizens of this gem of a city so many old and new residents call home. Ole Hanson's "Spanish Village by the Sea" would become sectioned North, South, East, and West by freeways. Find a way to build the Toll Road around the already developed areas of South Orange County or don't build it at all. |
| REAGAN DARIN | 49 VIA SONRISA SAN CLEMENTE CA 92673 | General Comment | I have been a faithful rider of the Toll Roads since the 73 was opened many years ago. It would be great to see the completion of the system connect with I-5 south of San Clemente. However, the day a decision is made to bring the Toll Road through San Clemente will be the last day I will pay another penny to ride |

the system and my transponder will be in the mail.

WILLIAMS ALLAN 72 VIA SONRISA
SAN CLEMENTE
CA 92673 Socioeconomics
and Environmental
Justice

It makes no sense to me to destroy existing homes to build a freeway. The other easterly alignments cost less. Why not? With proper consideration, the environmental issues can be accomplished.

WILLIAMS ALLAN 72 VIA SONRISA
SAN CLEMENTE
CA 92673 Air Quality

Better to the South of San Clemente, rather than in the middle of San Clemente.

WILLIAMS ALLAN 72 VIA SONRISA
SAN CLEMENTE
CA 92673 General Comment

The proposed CC alignment that destroys homes, introduces noise reduces air quality issues, dumps traffic in the middle of San Clemente is not proper planning. All of the alignments East of Talega are better. Widen 5, not a good idea.

BASCOM DON 3409 CALLE SIN
RIVAL
SAN CLEMENTE
CA 92673 General Comment

After reviewing your excellent Foothill-South overview, we think it is obvious to any intelligent and objective person that the Green, Lavender and Purple corridors are the only reasonable choices to be considered. It is time to stop talking, and start construction. Unfortunately, it is not that easy, but traffic in the San Clemente area certainly is not good, and can only get worse. Additional procrastination will only delay the inevitable realization that something needs to be done, but then at a higher cost. Our vote is for the toll road now, green corridor preferred, lavender a close second.

CA Project
Alternatives

I would favor widening of I-5 in San Clemente (red alternative). I oppose further housing construction in the adjoining areas of SR 241 and the area of the propose extensions to I-5.

CA Traffic and
Circulation

I do not believe that ultimately the project (except the red alternative listed) will improve traffic conditions, since new development in the areas "opened up" will fill new roads to beyond capacity congestion; then the hue and cry "we need more free/toll-ways will again arise and repeat the cycle.

CA General Comment I oppose any further completion of this project.

ANSON FRED 21156 RIVER
GLEN
LAKE FOREST
CA 92630 Project
Alternatives

I travel to San Diego on a regular basis for my job. If the 5 is congested I tend to use Oso and other surface streets to get to either the 5 or the 241 - depending on if I'm traveling North or South at the time. I find the current situation maddening and wish that you had just kept going and finished the 241 off!

It sure makes sense to me to create another North/South corridor that dumps onto the 5 freeway as far south as possible. Looking on the map this appears to be FEC-M.

I assume that the concern is that this route appears to cut right through the Donna O'Neill Land Conservancy - which, I suppose, could disrupt some native wildlife. However, I have not found this to be much of a problem on the toll road due to the nice use of fencing and pass-thru's under the toll road that the wild life seems to use frequently.

I hope that the work on the extension(s) begins ASAP. Like I said, I find the current situation extremely maddening!

/fwa

NAGHAVI PETER 418 AVE.
SALVADOR
SAN CLEMENTE Project
Alternatives

Alternative "Far East, West" seems to be the most reasonable alternative that will provide the highest result in the long run, and introduces reasonable minimum impacts to the community.

CA 92672

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| NAGHAVI PETER | 418 AVE. SALVADOR SAN CLEMENTE CA 92672 | General Comment | I am a professional Engineer and have worked in traffic field for over 20 years. Having commuted in OC especially to and from San Clemente, I certainly can see the need for and support the construction of an alternative. The well being of the public in general and San Clemente residents in particular depends on good transportation system. Accordingly, a new alternative such as the proposed Foothill South is necessary. |
| BOWMAN ERIC | 71 VIA MARBRISA SAN CLEMENTE CA 92673 | General Comment | <p>The Central Corridor alternative cutting through Ave. Pico should not even be considered a viable option. It uproots & destroys homes and residents lives seriously disrupting their quality of life. "Sorry people of San Clemente, we are now going to bulldoze your homes and build an "expressway" that will ultimately cause even more congestion and bottleneck." The point of toll roads in the mind of the consumer is to pay a toll and get to your destination faster. Cutting through at Pico Ave. in San Clemente is a bad idea and if you think traffic congestion is bad now, we are all in for a rude awakening with this alternative.</p> <p>You need to make decisions that have a balance between common sense and necessity and take into consideration PEOPLE'S LIVES.</p> <p>Stick with the original plan in which every resident of Southern California has been aware of for many years. BUILD THE EASTERN CORRIDOR AS IS. You will pat yourselves on the back for a job well done years from now and live with a sound conscious that you made a decision that was based on HUMAN BEINGS for once.</p> |
| TERRY ROBERT | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Project Alternatives | Same as above. |
| TERRY ROBERT | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Traffic and Circulation | Same as above. |
| TERRY ROBERT | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | General Comment | The A7-ALPV and the CC-ALPV Project Alternatives would place too much traffic into a residential area and on residential streets. |
| HECHT CALVIN | 601 VIA PROMONTORIO SAN CLEMENTE CA 92672 | Project Alternatives | Each of the alternatives are based on the same assumed population growth in the area. Some of the alternatives will open new areas for development, creating larger growth in those areas, than other alternatives. The study must take into account the population growth, or lack of growth, caused by the selected option. |
| HECHT CALVIN | 601 VIA PROMONTORIO SAN CLEMENTE CA 92672 | Traffic and Circulation | Traffic between San Diego County and northern areas will not be diverted onto the toll road, as suggested by the "Far East" options. Motorists will always choose the shortest and most direct routes. The only time a motorist will utilize the longer, more expensive, toll road route is if there is such severe congestion, as for example an accident blocking the road, that the toll road diversion offers a less time consuming journey. |
| HECHT CALVIN | 601 VIA PROMONTORIO SAN CLEMENTE CA 92672 | General Comment | The brochure describing the study appears to be biased to a particular conclusion; namely, the three "Far East" options. For example: those options indicating business displacements assume the businesses will not relocate close by their original locations. |

W-6

W-7

| | | | |
|--------------------|---|----------------------|--|
| | | Project Alternatives | The only alternative I see that could possibly make sense is the far east corridor. The other alternatives would be too costly and affect too many people that live along the suggested routes. |
| REED DOUG | 2912 VIA HIDALGO SAN CLEMENTE CA 92673 | General Comment | The only possible alignment alternatives that make any sense are the Far East corridor(s) in their various forms. Any of the others either fail to relieve congestion, or will have a significantly negative impact on my quality of life as a resident of San Clemente. The Far East alignments are also the most cost-effective to me as a taxpayer. I will support these alternatives and fight any others. Please do the same for the residents of San Clemente. Thanks for the opportunity to respond. |
| GROSS DIANE | 5299 ALTON PARKWAY IRVINE CA 92604 | General Comment | I am in favor of extension. |
| | | Noise | Toll Road Alternatives, CC, CC-ALPV, A7C-ALPV and AIO would go through and terminate at densely populated areas. Traffic noise would be harmful to nearby residence. |
| | | Project Alternatives | Central Corridor-Complete, Central Corridor-Avenida La Pata Variation, Alignment 7 Corridor-Avenida La Pata Variation and Arterial Improvements Only would require the displacement of a large number of private homes. All these alternative would terminate at the densely populated area of the City of San Clemente. The displacement of homes will result in hardship for many citizens and increase the construction cost of the toll road. Having the toll road teminted at the City of San Clemente will create the worst traffic bottle-neck and completely defeat the purpose of the construction of the toll road. |
| | | Air Quality | Toll Road Alternatives, CC, CC-ALPV, A7C-ALPV and AIO would go through and terminate at densely populated areas. Auto emission would degrade the air quality. |
| | BEHIND YOU CA | Project Alternatives | Why don't you pave another road up your own fuckin ass!!! HAHAAHAA |
| | BEHIND YOU CA | General Comment | Fuck off with your tollroad bullshit...What poor excuse for a human being came up with the idea to knock down new homes? Fire that fucker. This area of San Clemente has new homes. It is filled with tranquility and if you bring your roads here, it will ruin the peace. Common fuckin sense. |
| WARREN KEITH | 321258 CAMINO CAPISTRANO A- 233 SAN JUAN CAPISTRANO CA 92693 | Project Alternatives | I would recommend the Far East Corridor - west (FEC-W. I think it provides the best route for the extension. |
| KOBIYAMA STACEY | 29821 MONARCH DR. SAN JUAN CAPISTRANO CA 92675 | Noise | Regarding the Option of Widening the I-5: When the 73 Tollroad was built the decibel level in our neighborhood increased significantly. The city of San Juan Capistrano has that data. What was previously a heavenly atmosphere became noticeably noisy. We are 1500 feet from the I-5. If the road is widened on our side as is expected, the noise level |

will certainly become still louder, reducing the property value still further from what it would be if it were quieter.

We would certainly oppose the widening of the I-5.

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| WATT DAVE | 1372 CYNTHIA LANE CARLSBAD CA 92008 | General Comment | I received the foothill south proposals and I think that the Far East Corridor - West (FEC-W) project is the best one to do. It will route all of the traffic going to/from San Diego so that they don't even have to drive on I-5 in Orange County. The backups are already getting bad through San Clemente and San Juan Capistrano. We have to do something or the only way to get to Huntington Beach in 2025 will be by boat. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Project Alternatives | <p>The impact of the Central Corridor option is excessive, thousands of people would be displaced.</p> <p>Only the Far Eastern Options make economic sense.</p> |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Visual Resources | Replacement of our present views, whatever they may now be (ocean, hills, or even other buildings) with a toll road is painful to contemplate. The value of our homes overlooking the toll road would plummet as might our mental well being. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Cumulative Impacts | Only the Far Eastern Options make economic sense. To destroy hundreds of residences, displacing thousands of people to save acres of native habitat is just plain wrong!! |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | The small impact on native habitat, while undesirable, is outweighed by the need for reduced future congestion and the huge impact on people if their homes have to be destroyed. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Traffic and Circulation | San Clemente needs another access and egress route. Avenida Pico will be stressed to capacity by Talega residents alone, do not expect it to handle the output of the La Pata or Pico termination variants of the Central Corridor. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Threatened and Endangered Species | Let's not let our concern for a few birds, toads and plants result in a new endangered species: the San Clemente resident! |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Air Quality | Along with the noise would come a severe reduction in air quality due to the fumes, particulates and dust that would emanate from the thousands of vehicles daily. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA SAN CLEMENTE CA 92673 | Noise | If the Central Corridor Option(s) were chosen, those still living next to the expressway would soon wish their home had been taken as had their neighbors. The continual noise would be intolerable. |
| PHELPS J. FRANKLIN | 59 VIA MARBRISA | Socioeconomics and Environmental | Humans too need a quality environment. Living next to an expressway is not a choice most would make; having it forced upon them is terrible. |

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| | SAN CLEMENTE CA 92673 | Justice | |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | Socioeconomics and Environmental Justice | SAME |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | Cumulative Impacts | SAME |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | If the CC or A&-ALPV are chosen my home would be destroyed and the main town of San Clemente not to mention the costs involved!!! President Nixon would turn in his grave!!!. Their are environmental issues no matter what. The best choice is to preserve the quality of a long established town as San Clemente, Camp Penaltion is bombing the environment on their private land I am sure no environmentalists are capable of monitoring that!!! Look at the BIG PICTURE. PEOPLE!!! |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | Project Alternatives | I believe that the FEC-M would be the best route, it would run behind all the pre-planned communities and divert to the south of the main town of San Clemente. |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | Other Section of EIS/SEIR | ALL OF THE ABOVE |
| MILLER CINDY | 81 VIA MARBRISA SANTA ANA CA 92673 | General Comment | People who purchased homes in a planned community in San Clemente would loose their homes if the CC corridor or the C-ALPV go through. This not only would displace and bulldose my home of only 5 yrs old, it would also ruin the quiet town on San Clemente destroying the town and the home values. It seems absurd with knowing the 4,500 planned homes in Talega, and the new upcomming Rancho Viejo development proposed that the real impact of a road should run far back behind these planned developements. I am infuriated and cannot imagine loosing my quality of life in San clemente with either of the two above corridors. I AM OPPOSED!!! |
| RU NING | 24871 OVERLAND DRIVE LAGUNA HILLS CA 92653 | Project Alternatives | I oppose the proposal of widening I-5 because my house will be gone if I-5 will be widened. We've put a lot money and efforts on my property. We certainly do not want to see our house will be demolished and we have to look for a new place to live with currently high housing price. |
| SCHOENWALD MELINDA | 647 CAMINO DE LOS MARES #108-100 SAN CLEMENTE CA 92673 | Traffic and Circulation | Traffic is so terrible, we are becoming weekend prisoners in our own city. We really need this road. |
| SCHOENWALD MELINDA | 647 CAMINO DE LOS MARES #108-100 SAN CLEMENTE CA 92673 | General Comment | Most people in our city want the tollroad but are afraid to say so. They fear being labelled anti-environment. |

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| BUCKINGHAM EDGAR | 33382 SPINDLE CIRCLE MONARCH BEACH CA 92629 | Project Alternatives | I am totally opposed to any portion of the proposed Foothill South to enter the San Onofre State Beach Park! The Central Corridor is a reasonable route. The San Onofre State Park is a "PARK" and should not be destroyed for this project. Regardless of your assurances, the park will ultimately be destroyed by this project, if it is allowed to use this route. |
| CLOSE ROBERT | 21421 ALISO CT LAKE FOREST CA 92630 | Project Alternatives | I am writing in SUPPORT of the construction of the Foothill Corridor-South project. In particular I support the construction along any of three alternatives. These are (according to your map) FEC-M, FEC-W or A7C-FEC-M. I believe that those are the best routes as they would have the least impact on housing and businesses. From a traveling standpoint those options provide the most direct route to San Diego for those of us living in the central county area. Again, I am in support of constructing the Foothill Corridor - South tollroad. Thank you. |
| URMAN KAREN | 4 ANDRIA IRVINE CA 92614 | Project Alternatives | I think the FECM or A7C-FECM alternatives are the best of the alternatives. |
| URMAN KAREN | 4 ANDRIA IRVINE CA 92614 | General Comment | I think the extension of the current tollroad, 241, is beneficial to the area. Something that needs to be done to alleviate traffic on the I-5. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | Land Use | See above and the e-mail. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | Cumulative Impacts | See above and the e-mail. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | See above and the e-mail. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | Project Alternatives | Per the e-mail above, we believe the only viable full-service alternative is FEC-M. The EIS/SEIR does not come close to an adequate reflection of the adverse environmental impact of the FEC-W and A7C-FEC-M alternatives on the Donna O'Neill Land Conservancy. Please read the referenced e-mail. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | Other Section of EIS/SEIR | See above and the e-mail. |
| WYSE KENNETH | 32 CAMINO DEL PRADO SAN CLEMENTE CA 92673 | General Comment | Per "Public Comments -- Step II", I am e-mailing to EIS_SEIRcomments@ftcsouth.com a copy of the letter my wife and I mailed this afternoon to the TCA. |
| SHAW GLYNN | 53 VIA PALACIO | Project | My wife and I are big users of the toll roads. We favor the Far East Corridor - |

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| | SAN CLEMENTE CA 92673 | Alternatives | Modified because it does not require the removal of any homes or businesses, the environmental impacts are minor and completion of the toll road will be good for the community. We do not favor any alternative that would require removal of homes or businesses. | |
| MISTY | SAN CLEMENTE CA 92673 | General Comment | Take your hands off from the scarce land that's left. Please, there is no need to destroy families homes to make roads and money from it. If you desperately need a toll road, find another route from the back area through Talega. We are not giving up our homes for another road. Go build your toll road on empty land. We have enough highways surrounding this area so enough is enough. God bless your heart and work on your project somewhere else. Thank you. | |
| | | Traffic and Circulation | Improving current traffic conditions is key. This effort will reduce traffic. | |
| | | General Comment | Anything that ever works to improve current traffic conditions works for me! This effort will reduce traffic. I also want to compliment TCA's track record of keeping aside open space for mitigation purposes as evidenced along the existing 73 and 241 tollroads. | |
| GOLDSCHMIDT VIVIAN | 27528 JASMINE AVENUE MISSION VIEJO CA 92692 | Project Alternatives | I choose any of the 3 Far East alternatives (green, lavender, or purple). I do not think ending the toll road anywhere in San Clemente or other populated areas will alleviate the traffic congestion. Although I'm sure the environmental impacts are greatest with these 3 alternatives, I've seen the SJH Corridor and it was sensitive to Laguna Canyon and other areas (although enviromentalists would totally disagree with me on this one I'm sure). In the long run, these alternatives will keep huge amounts of traffic away from populated areas. | |
| GOLDSCHMIDT VIVIAN | 27528 JASMINE AVENUE MISSION VIEJO CA 92692 | General Comment | No, it's not wrong to love a road - I find the toll road a welcome alternative when the other freeways are jammed and appreciate the choice. Unfortunately, I will not be able to attend the public hearing so I am submitting my alternative choices via the website. Good luck! | |
| REMY CURT | 5705 E. SAN JUAN DR. ORANGE CA 92869 | General Comment | I have spent my entire 45 years in this area. I do not have to read your impact report to reach an informed opinion. With each new housing tract and each new toll road (what ever happened to freeways?) our quality of life worsens. This county is already overcrowded. Enough is enough! | |
| BURROR JAMES | 36 VIA PALACIO SAN CLEMENTE CA 92673 | General Comment | The EIR is unclear or does not address the following items: 1) Displacement of homes in the new section of the Telega development, not shown in the aerial photos. If they were missed they should be added to the list of homes and included in the projects costs considerations. 2) The private lands list to be acquired does not include the Pacifica San Clemente HOA property. These costs to purchase the lands of the associate should also be added to the A7C-ALPV and CC-ULT alignments. 3) Storage of dirt/fill and construction staging area lands are not identified in the report. The costs and other impacts for these lands should be included in the EIR. 4) The only Park and Ride facility in San Clemente would also be eliminated with the central alignments. It is located on the other side of the I-5 from the San Clemente High School. I am and my family support alternative FEC-MU which is the lowest cost option with a favorable rating in Table 2.5-1. Thanks in advance for timely responses to my comments. James Burror 36 Via Palacio | W-8 W-9 W-10 W-11 |

San Clemente, CA
92673
PH 949-369-0907
jburror@ocsd.com

BOYER RICHARD 1356 FELIPE Project
SAN CLEMENTE Alternatives
CA 92673

The AIO alternative is the least worst alternative. The best approach would be to leave things as they are.

BOYER RICHARD 1356 FELIPE General Comment
SAN CLEMENTE
CA 92673

I don't believe that the Foothill-South extension is needed or justified. The projected benefits are minor, yet the negative effects on residents of the San Clemente area are likely to be significant. The project is a bad tradeoff and should be abandoned.

CLARKE WAYNE 16 LANGFORD Traffic and
LANE Circulation
LADERA RANCH
CA 92694

Please build the extension! I lived in the San Francisco Bay Area a couple of years ago, and I have witnessed first-hand what happens when infrastructure is not built to meet future demands. San Jose is a classic example. They choose not to develop the proper infrastructure citing either environmental or that making it easier for people to get into San Jose will bring more people. The people came anyway! San Jose was at near grid-lock with thousands of cars sitting or crawling along for hours everyday. It made it a nightmare to travel to San Jose or around San Jose, and all of those cars dumped tons of pollutants into the environment. More people are coming to South Orange County with major increases in traffic on the 5 freeway projected and with significant housing developments planned around Ortega Highway. We need to plan and build now for the future!! The people are coming, like it or not, and we need to do what we can to handle the additional traffic!! If nothing is done, we will find it very difficult to get anywhere and we will be polluting our environment while we wait.

CLARKE WAYNE 16 LANGFORD Air Quality
LANE
LADERA RANCH
CA 92694

I know that there are many environmental concerns and issues with the planned extension. However, the thousands and thousands of cars that will be sitting at a stand-still or crawling along in Orange County will be dumping tons of pollutants into the surrounding environment--that will harm all living creatures. Cars sitting still or crawling along also get terrible gas mileage basically wasting fuel while having other environmental impacts. The cars are coming, so we need to prepare for them. The extension will keep both emissions and fuel consumption lower!

REYES VICTOR 22701 General Comment
MAPLEWOOD
MISSION VIEJO
CA 92692

I am a South Orange County resident, Surfer and Police officer with 30 years on the job. I regularly surf at San Jo and Doheny. I am concerned about the standard of living in OC. I also know that the population of OC will continue to rise. With 30 years experience in law enforcement, I know that increased traffic will result in more vehicle collisions and deaths. In the coming years, given the choice, I believe that we must build the rest of the toll road. I chose to save the people that will die if this road is not built. I chose to save our children and their children rather than some mice and toads that might be here in 10-20 years. It's a "No Brainer". Sergeant, Victor J. Reyes Los Angeles Sheriff's Dept.

RITTER LESTER 5480 PASEO DE General Comment
LA RAMBLA
YORBA LINDA
CA 92887

I use the toll roads and wish to support the extension of the extension of the Foothill (241) Toll Road and in particular the most economical proposal. Californians must do everything in their power to build new roads and add to existing roads wherever possible. This is a good project for Orange County.

RITTER JAYNE 5480 PASEO DE General Comment
LA RAMBLA
YORBA LINDA
CA 92887

I strongly support the plans to extend the Foothill (241) Toll Road.

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| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Land Use | The Donna O'Neil Land Conservancy was mitigation for the development of Talega. How can you try and justify mitigation of the conservancy. This is Open Space intended to be UNTOUCHED |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Project Alternatives | Expand the 5 freeway from San Juan through San Clemente to match the number of lanes and carpool. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | General Comment | I am opposed to the Foothill/Eastern Toll road. TCA has made serious mistakes with financing, traffic projection useage and enviromental damage with the 73. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Visual Resources | You can not replace the beauty of the land conservancy, existing homes around Pico and the beach. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Coastal Barriers | Another permanent damaged area by further development of a road that will not be used to support itself. Only become another tax payers liability from TCA |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Threatened and Endangered Species | There are many endangered and threatened species in the Donna O' Neil Land Conservancy. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Wildlife, Fisheries, and Vegetation | Endangered plant and wildlife species will be affected. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Water Quality | Damage will be done to Trestles as has been done by the 73. |
| DIXON SUSAN | 4 VIA CANCION SAN CLEMENTE CA 92673 | Air Quality | Further traffic inland through protected land will increase poor air quality. The option of Pico is outrageous. Dangerous situation, extremely costly, would have the most negative impact on the enviroment, people, school and businesses. |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE CA 92673 | Noise | The draw to San Clemente is the small town suburban feel. The Central Corridor would turn San Clemente into another Los Angeles, only I doubt if it would attract anyone to buying a home here -- especially if there was always the possibility of encroaching freeways taking over. |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | I urge you to consider the Far East Corridor (FEC-W) We've only lived here in San Clemente for about four years. Our home is four years old. To have it reclaimed and destroyed after having put our life savings into it's development would be much more catastrophic than to alter you route and have it go through areas where people don't have roots. This Central Corridor plan would destroy almost 600 homes -- not to mention the businesses in its path. The economic impact on the City of San Clemente would be irreversible. Losing the revenue of that many households would cost the City dearly not to mention the constituent vote. These homes are in the million dollar range -- how can you afford to buy these back. It's not profitable, economical, or ethical. |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE | Land Use | Why destroy standing communities when you have vacant land that could be used? These are not old communities, but newly developed many only 4-5 |

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| | CA 92673 | | years old. The property value is high here -- you would destroy not just 600 homes, but the entire City of San Clemente. |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | The Central Corridor is a very bad idea. How can you even think of putting a major artery right through the middle of an established area of homes that are just being developed? Businesses have just been built, and now you're going to destroy them. None of this makes any sense. Ethically, morally, or economically. |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE CA 92673 | Project Alternatives | Draaft EIS/SEIR Project Alternatives |
| SHIVELY RENEE | 45 VIA SONRISA SAN CLEMENTE CA 92673 | Air Quality | The air quality in San Clemente is probably the best in Orange County. This would certainly make air quality a viable issue. |
| MACIAS CHRISTINA | 29301 SONOMA WAY SAN JUAN CAPISTRANO CA 92675 | General Comment | RE: PICO ALIGNMENT. Evicting people from homes and businesses is neither economically nor morally justifiable. Construction in an already saturated area of the freeway is impractical. As residents of San Juan we lived through a year of night-time pile drivers and pounding headaches. I would not wish this on anyone else. Surely human habitat deserves some form of protection? This alignment shouldn't even be on the drawing board! |
| PARKER NIKI | 336 VISTA BAYA COSTA MESA CA 92627-1808 | Military Uses and Camp Pendleton | Camp Pendleton should remain free of any roads and kept only for military use. By inching into their domain with 1 project, the door would be open to other types of non-military growth - I oppose that. |
| PARKER NIKI | 336 VISTA BAYA COSTA MESA CA 92627-1808 | Affected Environment, Environmental Consequences, and Mitigation Measures | The impact of building this road, as well as the associated businesses and homes, as provided for in the OC master plan are too harmful |
| PARKER NIKI | 336 VISTA BAYA COSTA MESA CA 92627-1808 | Project Alternatives | Of the various choices, non- toll road alternatives are the only choices, with the widening of the I=5 as the preferred choice |
| PARKER NIKI | 336 VISTA BAYA COSTA MESA CA 92627-1808 | General Comment | I am against the expansion of the toll roads in Orange County because of mismanagement of the current toll roads which has led to a public burden in order to provide the builders with a profit and for the following reasons: |
| TYSON CHERYL | 2312 CALLE MONACO SAN CLEMENTE CA 92672 | General Comment | I feel we should build the toll road but use the Christianitos route. We should not go down Pico and we should not widen the 5. We need the toll road as soon as possible. |
| GATES JAMES | 252 W. MARQUITA #C SAN CLEMENTE CA 92672 | Threatened and Endangered Species | same comment as above. |
| GATES JAMES | 252 W. MARQUITA #C | Wildlife, Fisheries, and Vegetation | Wildlife may be able to migrate from the Cleveland National forest to the conservancy's property and back when less interchanges are built. Areas can |

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| | SAN CLEMENTE CA 92672 | | be engineered to provide access for wildlife throughout the corridor. |
| GATES JAMES | 252 W. MARQUITA #C SAN CLEMENTE CA 92672 | Growth Inducing Impacts | The biggest fear for San Clemente residents is the already highly populated downtown areas and beaches will be swamped when the Rancho Mission Viejo (RMV) development is finished. The Toll Road should relieve the I-5 flow, but not be allowed to be an access for inland RMV residents to flood local streets and beaches. Offramps are growth inducing! |
| GATES JAMES | 252 W. MARQUITA #C SAN CLEMENTE CA 92672 | Affected Environment, Environmental Consequences, and Mitigation Measures | Minimize the environmental consequences when less land is used for interchanges. |
| GATES JAMES | 252 W. MARQUITA #C SAN CLEMENTE CA 92672 | Project Alternatives | The best route for a Toll Road would be to NOT have it aligned with Avenida Pico. The Toll Road should begin in Coto DeCaza and end at I-5. My opinion is that the community may embrace it if there are NO outlets or offramps between Coto and I-5. |
| <p>General Comment I am very much in favor of extending the 241 to the 5 FWY. Growth in Southern California is real, and we must accomodate it.</p> <p>However, I do not support the Pico extension, nor the La Pata extension as those would destroy many homes and drastically reduce home values in San Clemente, specifically Talega and Forster Highlands. This makes no sense whatsoever.</p> <p>Have the environmentalists ever taken an airplane ride across the country? There is plenty of open space. You cannot stop growth unless you tell people to stop having children. If the environmentalists do not like growth, then they should move to a desolate place.</p> <p>Many people fought the 73 toll road and I think they did a wonderful job with very little environmental impact. I'm sure they would do an excellent job on the extension and actually reduce/clean runoff into the contested creek.</p> <p>We CANNOT depend solely on the 5 fwy. With the development of Rancho Mission Viejo - the eastern extension that runs down to San Onofre makes the most sense and I strongly support that extension. The toll road extension is necessary and proper, but it must not tear down people's homes, especially when the cost of buying a new home has become prohibitive for so many people in Southern California now. The La Pata and Pico extensions would reduce many a family's quality of life, and force them to move, which would be very wrong. I know that the Far eastern toll road option would be done as environmentally responsible as possible.</p> | | | |
| YACOEL CLAUDE | 2801 W. COAST HIGHWAY #380 NEWPORT BEACH CA 92663 | Affected Environment, Environmental Consequences, and Mitigation Measures | No to any alternative that involves Avenida Pico. |
| YACOEL CLAUDE | 2801 W. COAST HIGHWAY #380 NEWPORT BEACH CA 92663 | Project Alternatives | The Central Corridor (CC) alternative would be disastrous for the established community of residents and businesses located along Ave. Pico. The shopping center we own (800-810 Ave. Pico) would be devastated by the CC alternative. This alternative could result in the loss of our property, our businesses, and our livelihood. This alternative will cut an healthy community in half and destroy the lives of hundreds and hundreds of families (over a thousand residents) who live in this immediate area. I strongly oppose this CC alternative, and will join with others to litigate to stop this alternative. The toll road must find an alternative that does not destroy an existing community. Absolutely no to the Central |

Corridor alternative.

YACOEL CLAUDE 2801 W. COAST
HIGHWAY #380
NEWPORT
BEACH CA 92663

Traffic and
Circulation

No to any alternative that involves Avenida Pico.

YACOEL CLAUDE 2801 W. COAST
HIGHWAY #380
NEWPORT
BEACH CA 92663

General Comment

I am the owner of Gateway Village Plaza, a 72,000 square foot shopping center (that includes an Albertsons supermarket) located at 800 - 810 Avenida Pico in the City of San Clemente. I strongly oppose the toll road extension through the existing community of San Clemente and am particularly opposed to the Central Corridor alternative.

KANE CAROL 4711 VIA DEL
RANCHO
YORBA LINDA
CA 92886

General Comment

PLEASE continue the process to extend the south 241 to the San Diego border. We here in Yorba Linda love the tollroads and find it the only way to get to San Diego (half-way) with a pleasant drive.

Also, how can I request a second transponder, as the two of us will be driving back and forth this summer? Is there a charge for a second one?

Thank you for your attention in this matter.

DOWNEY PAUL 18 CLUB VISTA
DOVE CANYON
CA 92679

Project
Alternatives

As a long term homeowner in Orange County, I would prefer to have a routing for the Foothill-South extension to SR241 that would provide the maximum utility to the homeowners that commute to work in southern and eastern Orange County. My preference would be for the Central Corridor Complete Alternative, as it would allow SR241 users to come back to the I-5 corridor still well within Orange County, thereby facilitating access to south county businesses, beaches, and shopping as well as shortening commute times for residents.

I would also recommend an addition not currently in the planning documents: I recommend that the TCA and Orange County consider a SR133-type below-grade toll road connector from the SR241 extension at Crown Valley Parkway, westward along the current track of Crown Valley, down across I-5 and terminating at the SR73 tollroad. This would allow the residents and commuters in the eastern foothills to avoid surface streets, alleviating the existant congestion along Alicia, Oso, Crown Val

ley & Ortega from Antonio to the I-5. The current congestion along these surface streets will only get worse with future development.

Please act now on these options while there remains a good deal of open land that can be utilized for the right-of-way. Act to minimize the impact on conservancy areas and wetlands, but please act. In twenty years it will cost more to implement due to the higher level of private and commercial property that will need to be condemned. And we will have already paid a high price in additional wear-and-tear and a lower quality of life.

Thank you for the opportunity to provide my input to the decision-making process.

Sincerely,

Paul J. Downey

SHAW JAMES 904 RIO LINDO
SAN CLEMENTE
CA 92672

Project
Alternatives

The Talega, Marblehead and Rancho San Clemente areas of San Clemente are unable to handle additional traffic flow certain to be introduced or rerouted under the more northern alternatives proposed. Any scenario that introduces toll road traffic or roadways/interchanges to this general area within San Clemente is unacceptable. Ave Pico, Hermosa, Estrella, and surrounding streets are grossly impacted already. I 5 Freeway north and south in the vicinity of Pico is also becoming impacted. School hours / days for San Clemente High School are additional peak times that make morning and afternoon hours impassible for the Pico / I5 area. Residents overwhelmingly object to any such project. My family offers our strongest possible objection to these northern area proposed routes.

W-13

W-14

SHAW JAMES 904 RIO LINDO Other Section of
SAN CLEMENTE EIS/SEIR
CA 92672

The Toll Rad Agency attempts to engage the public in this process have not been adequate. Most homeowners in my San Clemente neighborhood are unaware of the current commentary phase, and don't know how to comment once they are told of the process. This is disturbing, as most all residents in my neighborhood are opposed to some or all of the proposed alternatives, yet they have not been properly sensitized to what is being proposed and their right to add their influence to the outcomes. It seems that the agency has failed in this critical process.

SHAW JAMES 904 RIO LINDO General Comment
SAN CLEMENTE
CA 92672

The Talega, Marblehead and Rancho San Clemente areas of San Clemente are unable to handle additional traffic flow certain to be introduced or rerouted under the more northern alternatives proposed. Any scenario that introduces toll road traffic or roadways/interchanges to this general area within San Clemente is unacceptable. Ave Pico, Hermosa, Estrella, and surrounding streets are grossly impacted already. I 5 Freeway north and south in the vicinity of Pico is also becoming impacted. School hours / days for San Clemente High School are additional peak times that make morning and afternoon hours impossible for the Pico / I 5 area. Residents overwhelmingly object to any such project. My family offers our strongest possible objection to these northern area proposed routes.

SHAW JAMES 904 RIO LINDO Growth Inducing
SAN CLEMENTE Impacts
CA 92672

SHAW JAMES 904 RIO LINDO Cumulative
SAN CLEMENTE Impacts
CA 92672

Traffic routed to an already impassible residential area is unacceptable, (Pico corridor), noise for Rancho San Clemente residents and some Talega residents will be onerous, and construction impacts, though temporary, will be an unacceptable imposition on homeowners.

SHAW JAMES 904 RIO LINDO Affected
SAN CLEMENTE Environment,
CA 92672 Environmental
Consequences,
and Mitigation
Measures

Automobile noise generated by this project for nearby homeowners has not adequately been described or addressed. Proximity to local residents creates potential for gross noise impacts which the Toll Road Agency has not properly addressed.

W-15

SHAW JAMES 904 RIO LINDO Traffic and
SAN CLEMENTE Circulation
CA 92672

The Talega, Marblehead and Rancho San Clemente areas of San Clemente are unable to handle additional traffic flow certain to be introduced or rerouted under the more northern alternatives proposed. Any scenario that introduces toll road traffic or roadways/interchanges to this general area within San Clemente is unacceptable. Ave Pico, Hermosa, Estrella, and surrounding streets are grossly impacted already. I 5 Freeway north and south in the vicinity of Pico is also becoming impacted. School hours / days for San Clemente High School are additional peak times that make morning and afternoon hours impossible for the Pico / I 5 area. Residents overwhelmingly object to any such project. My family offers our strongest possible objection to these northern area proposed routes.

Growth Inducing
Impacts

With South Orange County nearing it's buildout limit, the extension of the 241 is a needed improvement for all residents by providing an outlet for existing drivers from the newer inland area.

Growth in the final 15% of the county is inevitable and the 241 is a requirement to deal with the inevitable.

Finish the Toll Road and find a way to pay it off so we can truly even out traffic flow in South County.

Traffic and
Circulation

South Orange County has seen a large buildout over the past 20 years and traffic south to San Diego has only become worse with traffic jamming up from

San Juan Capistrano north to El Toro weekday mornings and south from El Toro through San Clemente most Saturday mornings.

Psychologically it is obvious that driving at or near speed is better than sitting in heavy traffic when you are trying to get somewhere.

The addition of the 10 miles to the 241 will relieve a good deal of that traffic and improve air quality by effectively reducing the traffic jams currently occurring, as well as providing an alternate route south that does not require driving through South County cities during Sig Alerts.

Air Quality

Environmentally, keeping traffic moving longer is better since cars are more efficient per mile gas and pollution-wise driven at cruising speeds versus starting and stopping in heavy traffic.

General Comment

Just build it.

BACHMAN RALPH 1802 ARRIBA
LINDA
SAN CLEMENTE
CA 92672

Project
Alternatives

I would like to see the alternative modified west or any alternative that brings the tollroad out at the south end of San Clemente.

BACHMAN RALPH 1802 ARRIBA
LINDA
SAN CLEMENTE
CA 92672

General Comment

I would like to see the tollroad (241 south) built as soon as possible. As a Metropolitan Water District employee (now retired), I saw first hand the construction of many miles of various tollroads in O.C., and I'm well pleased with the care I saw being put into the "environment" throughout the construction phases for each project. I am also pleased with the appearance of the "environment" as a finished project. I feel that the completion of the south Orange County tollroad is a necessity and I totally support it's completion.

FORT JAN 555 N. EL
CAMINO REAL,
A150
SAN CLEMENTE
CA 92672

Project
Alternatives

Complete the road to I-5 at Basilone

L'ANGELLE DAVID 2932 CALLE
GAUCHO
SAN CLEMENTE
CA 92673

General Comment

We fully support the "far east" alignment to the 241 extension.

Dave & Ronnie L'Angelle

PITTERLE
MARIANNE 81 PARRELL
AVENUE
FOOTHILL
RANCH CA
92610

Project
Alternatives

Thank you for sending out the overview of the Draft EIS/SEIR for South Orange County. It was very informative.

Obviously, an action needs to be taken to relieve traffic congestion. My preference would be to widen the I-5. I'd be willing to pay an additional tax (1% or less) to fund it. My second choice would be the Central Corridor Alternative. If you're going to removing homes from the wildlife, it's only fair that people's home be removed as well.

CA

General Comment

The alternative which takes the toll road furthest away from established housing is the best. The far east corridor options seem to be the best options. It will also bypass congestion from San Clemente by going further south.

The central corridor option is not desirable and will soon become obsolete and not achieve its goals. The service streets in San Clemente will become impacted, bottleneaking access on and off the toll road in the central corridor.

Thus traffic through the toll road and access will be impeded shortly after its establishment.

The central corridor is not desirable for other reasons. It brings noise and air pollution, through the center of an established community and uproots many homes with families. The quality of life around the toll road will certainly be diminished for those that remain.

I would be in favor of a pathway which avoids current established housing by going as far east as it takes.

CA

General Comment

Those involved in making the final decision should know that each individual is thinking about themselves in this process. Each alternative has good and bad things about it. Nobody wants to be impacted negatively by this project.

Talega is a new project in San Clemente. New housing is being built at an enormous rate. This developer must have a lot of resources and influence. I can't help but think this corporation is spending time and effort to lobby for the corridor which best serves their interests.

Honestly, I am concerned about my own interests as well. The central corridor route will basically be blazed right over my current house. I will have to move and replan my life.

Consider if each of you faced the same prospect of being uprooted from your home, really, I think you would try to think of an alternative. You may have all kinds of reasons why the road should go somewhere else and not through your backyard.

There is still undeveloped land east of San Clemente. Nobody has settled in yet. It makes sense to claim this route prior to any further developments. At least then, those moving to the area will be informed of the presence of the toll road before they purchase a home next to it.

I know I have little control of what happens with the project, but I just don't like the idea that Talega with its resources may influence the project to keep it out of their undeveloped areas and lobby for a option send it through the heart of San Clemente displacing families along the way.

LAWN GREG 28 ANGLESITE
RANCHO SANTA
MARGARITA CA
92688 Project
Alternatives

I think the A-7 Far East Crossover proposal best addresses the needs of the residents, environment, and communities directly involved in the expansion of 241. It will certainly have significant benefit to those that will be just "passing through", but not at too great a cost to those of us that have to live here.

JUNCAJ EMILIO 1314 VISTA
PRADO
SAN CLEMENTE
CA 92673 Threatened and
Endangered
Species

For the below alternatives, which species are endangered and/or how are they threatened?

- (1) Far East Modified
- (2) Far East (West)
- (3) A-7 Far East Crossover

JUNCAJ EMILIO 1314 VISTA
PRADO
SAN CLEMENTE
CA 92673 Project
Alternatives

I prioritize the following Far East Alternatives (1 = ranked highest):

- (1) Far East Modified
- (2) Far East (West)
- (3) A-7 Far East Crossover

JUNCAJ EMILIO 1314 VISTA
PRADO
SAN CLEMENTE
CA 92673 General Comment

I support the A-7 Far East Crossover and the Far East alternatives for reasons that:

- (1) Minimizes community disruption

W-16

(2) Least costly with significant impact on I-5 traffic reduction and minimal environmental impact.

| | | | |
|----------|--|-----------------|---|
| RATH TOM | 22636 SPRING LAKE LANE LAKE FOREST CA 92630 | General Comment | This project has been on the drawing board and in the environmental stage for going on 6 years. It is needed. Why is it taking so long? |
|----------|--|-----------------|---|

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|-------------|---|-------------------------|--|
| JENES FRANK | 200 PARIS LANE, NO. 113 NEWPORT BEACH CA 92663 | Project Alternatives | I am a long time resident of Orange County. I travel frequently in the area in south Orange County, and something must be done about the traffic congestion now and the project growth in traffic congestion. I recommend construction of one of the three easterly alignments that tie into the 241 so that we have a complete freeway/tollway parallel to I-5. |
|-------------|---|-------------------------|--|

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|---------------------------|--|----------------------------|----------------------|
| HOFFMAN GREG AND MINDA | 92 VIA SONRISA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | see general comments |
|---------------------------|--|----------------------------|----------------------|

| | | | |
|---------------------------|--|-----------------------|----------------------|
| HOFFMAN GREG AND MINDA | 92 VIA SONRISA SAN CLEMENTE CA 92673 | Cumulative Impacts | see general comments |
|---------------------------|--|-----------------------|----------------------|

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|---------------------------|--|-------------------------|----------------------|
| HOFFMAN GREG AND MINDA | 92 VIA SONRISA SAN CLEMENTE CA 92673 | Project Alternatives | see general comments |
|---------------------------|--|-------------------------|----------------------|

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|---------------------------|--|-----------------|---------------|
| HOFFMAN GREG AND MINDA | 92 VIA SONRISA SAN CLEMENTE CA 92673 | General Comment | June 28, 2004 |
|---------------------------|--|-----------------|---------------|

Transportation Corridor Agencies
Draft EIS/SEIR Comments
Ms. Macie Cleary-Milan & Mr. Walter. D. Kreutzen
Deputy Director Environmental Planning & Chief Executive Officer
125 Pacifica, Suite 100
Irvine, CA 92618-3304

Dear Ms. Cleary-Milan and Mr. Kreutzen:

As a follow up to the long awaited release of TCA (Transportation Corridor Agencies) draft of the Environmental Impact Statement (EIS) and Subsequent Environmental Impact Reports (SEIR) on Friday, May 7, we wanted to inform the TCA Board of Director

| | | |
|--------------------|--|-------------------------|
| HERDELL RICHARD | 216 W. PASEO DE CRISTOBAL SAN CLEMENTE CA 92672 | Project Alternatives |
|--------------------|--|-------------------------|

To: Draft EIS/SEIR Comments, TCA, 125 Pacifica, Ste. 100, Irvine, CA 92618.

According to the San Clemente Chamber of Commerce, "I-5 traffic is predicted to increase by 60% in the next 20 years", and according to The Toll Roads website, the combined weekly use for the 73, 241, 261 & 133 toll roads is only 280,000 cars.

With this in mind, extending the 241 and connecting it to I-5 will add congestion to I-5 and will service a small percentage of a developing area without providing a long term solution to traffic congestion. We are extending the current model of building ever more roads for development dreams without facing the reality of more roads equals an invitation for more traffic. 280,000 cars per week is not a

great usage number for 4 toll roads and provides no indicator the real problem of long term traffic movement and congestion has been resolved.

An alternative I have not seen discussed, is to implement a Southern California version of the San Francisco Bay Area Rapid Transit system, (B.A

.R.T). This type of people mover is in use in Washington DC., Chicago, Detroit and in many parts of the world.

I feel we must look to the future and extend this type of system into something more realistic for the lifestyles of Southern California residents to address our traffic congestion needs and at the same time maintain the quality of life of our residents.

Consider a two tier system as follows:

Tier 1: A ubiquitous system connecting all of the towns of Southern California, whose use has cost savings over car ownership + fuel usage and provides congestion-less travel allowing easy connectivity to any significant area. It could consist of B.A.R.T. like subway trains for major movement and then trolleys or some other small transit system which would take advantage of the beautiful views available. Existing right-of-ways could be used both above and below the I-5 and other traffic conduits.

Tier 2: Use of existing highway system, without any further major expansion.

The 241 toll road has

been under discussion since 1981, 23 years, and the best idea we have today is to maintain the status-quo as far as traffic management goes. I have to ask where we would be if we had spent the last 23 years implementing an appealing and evolutionary Rapid Transit System to serve the entire Southern California area.

This system allows for future development, car travel if needed, cost effective long distance movement for most personal travel, vast entrepreneurial involvement in the system development, implementation and management, and the preservation of Southern California as a place of beauty and attraction.

Thank you,

Richard Herdell

216 W. Paseo de Cristobal

San Clemente, Ca. 92672

rwherdell@cox.net

W-17

CINNAMON GARY 239 CALLE
NEBLINA
SAN CLEMENTE
CA 92672

Project
Alternatives

To Whom It May Concern:

We are 17-year residents of the Broadmoor Development in San Clemente. I have seen the Pico Corridor Central Complete and Incomplete Route plans for the toll road extension. If you want to destroy a community, your proposed Central routes will certainly fulfill your wishes. All routes will destroy or impact hundreds of San Clemente homes and businesses, including rendering the high school uninhabitable. All routes will drastically increase vehicle emissions in the area, endangering the elderly (who are a large portion of the population), youngsters, and anybody with respiratory disease. The incomplete routes will dump freeway-level traffic onto small local streets, making these streets seem like the entrance to the Holland Tunnel in New York. The complete route will effectively divide San Clemente and cut our property values by half.

I understand the need for a North-South alternative to Interstate 5, but as a builder in the 21st Century, you have an obligation to preserve the quality of life in the County and heed the concerns of the population most affected by your project.

In the 1950s, Robert Moses built a 10-mile trench through the Bronx that became the Cross-Bronx Expressway. A neighborhood which housed at least 10,000 turned into a wasteland. I can guarantee you that the people who live off Pico will fight – from political pressure to civil disobedience if necessary – any attempt to run the tollway through the Pico corridor. Your legacy will be that of Robert Moses – he destroyed a city for the convenience of builders and non-city residents.

Yours truly,
 Gary and Gayle Cinnamon
 239 Calle Neblina
 San Clemente, CA 92672

| | | | |
|--------------|---|--|---|
| GROOT JAN | SANTA ANA CA 92705 | Project Alternatives | As a frequent traveler on I5 between Tustin and Encinitas I strongly support the Far East Corridor alignments, either FEC-M or FEC-W. Traffic is getting heavier by the year, unless this extension is built we shall face constant traffic jams and delays. Traffic in San Clemente always seems to back up, the Mission Viejo section likewise. |
| AYOUB BASIM | 26 VIA PACIFICA SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | It might displace my community and it will affect the surrounding hills where you have developed communities. |
| AYOUB BASIM | 26 VIA PACIFICA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | the yellow proposal will ruin the communities surrounding it and will force people out. |
| AYOUB BASIM | 26 VIA PACIFICA SAN CLEMENTE CA 92673 | Project Alternatives | The alternative highlighted in yellow will impact my community and the surrounding areas. I object to this alternative. |
| AYOUB BASIM | 26 VIA PACIFICA SAN CLEMENTE CA 92673 | Air Quality | it will hurt the air quality for the communities surrounding the yellow proposal. |
| LORIMER MARK | 2624 CALLE ONICE SAN CLEMENTE CA 92673 | Noise | The noise level the Central Corridor will generate for Marblehead and Rancho San Clemente in San Clemente will constructively condemn hundreds of homes and make many others almost uninhabitable. |
| LORIMER MARK | 2624 CALLE ONICE SAN CLEMENTE CA 92673 | Visual Resources | The visual blight caused by the Central Corridor route will destroy the beauty of the coastline views of hundreds upon hundreds of San Clemente homes. |
| LORIMER MARK | 2624 CALLE ONICE SAN CLEMENTE CA 92673 | Cumulative Impacts | The Central Corridor alternative does not take into adequate consideration the needs of the Far Eastern communities in existence and yet to be built (Rancho Santa Margarita and Rancho Mission Viejo, respectively). The noise and air pollution will effectively condemn far more than the hundreds of homes slated to be destroyed to make room for a road which will be unprofitable in the first instance. |
| LORIMER MARK | 2624 CALLE ONICE SAN CLEMENTE CA 92673 | Project Alternatives | The Central Corridor alternative is obsolete in light of the announced plans to build out Rancho Mission Viejo. A Far Eastern alternative will not only serve current needs, but anticipate future needs while providing a growing revenue base for the toll roads. |
| LORIMER MARK | 2624 CALLE ONICE SAN CLEMENTE CA 92673 | Traffic and Circulation | A Far Eastern alternative will reduce the burden on the Rancho Santa Margarita surface streets as the build out of South East county progresses. The Central corridor alternative will not alleviate the surface congestion in RSM. |
| LORIMER MARK | 2624 CALLE | Air Quality | The increased traffic through the San Clemente portions of the Central Corridor |

ONICE
SAN CLEMENTE
CA 92673

alternative will increase air pollution throughout the Talega communities.

WALTMAN SUE
101 VIA TOLUCA
SAN CLEMENTE
CA 92672

Water Quality

The people who are alarming everyone with claims that the 241 extension will pollute our ocean and its swimming and surfing beaches must accept the problem as their responsibility and honestly study the problem so they will realize that not only will the 241 extension not add to pollution of the beaches, it actually contains major remedial steps to cut down on the pollution now happening daily in our current situation.

WALTMAN SUE
101 VIA TOLUCA
SAN CLEMENTE
CA 92672

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

I believe the transportation corridor agencies have developed and described an environmentally responsible answer to the traffic problems existing in South Orange County in general, and in San Clemente in particular.

WALTMAN SUE
101 VIA TOLUCA
SAN CLEMENTE
CA 92672

Project
Alternatives

I think the most responsible alternatives are the two Far East Corridor alternatives and the Alignment 7 Corridor. Great care has been taken to mitigate any environmental concerns for these three alternatives, and the costs are in line. They also offer the benefit of not disturbing residences or businesses. Although I live in Via Toluca in San Clemente, and these alternatives will be right below my back yard, I think it is important to select one of these alternatives.

WALTMAN SUE
101 VIA TOLUCA
SAN CLEMENTE
CA 92672

Traffic and
Circulation

I have lived in South Orange County for over 45 years and have watched the traffic problems develop. The completed tollway systems give the only viable solution to a very untenable situation that exists today and will only become worse. We all have to accept responsibility for the traffic situation that exists because we are here. This goes for everyone from a large business employing hundreds of people to the surfing enthusiast who only uses his vehicle to drive to the surfing beaches. We all have to own this problem, and the 241 tollway completion is the most viable means on the horizon for addressing the present situation.

WALTMAN SUE
101 VIA TOLUCA
SAN CLEMENTE
CA 92672

General Comment

I am wholeheartedly in favor of the completion of the 241 tollway from Oso Pkwy to the 5 Freeway. This project is long overdue and addresses traffic issues that have too long been ignored or shelved. This is the only responsible solution to our existing traffic situation in South Orange County

General Comment I strongly support the FEC-W, FEC-M, or A7C-FECM alternatives.

Doing nothing is a dangerous alternative that will result in San Clemente's surface streets being clogged with freeway traffic seeking alternative routes. I live in a neighborhood - the back of Forster Ranch at the end of Camino De Los Mares - that might appear to be an alternative freeway route to drivers not familiar with the area. Even now, on weekends when freeway traffic is high, a large percentage of traffic is drivers coming to the end of our street - often at freeway speeds - only to make a u-turn and race off back down Camino De Los Mares. These people are clearly trying to find freeway alternatives. Often Coast Highway is clogged with drivers getting off the freeway. This traffic is dangerous, polluting, it makes it difficult to get around town, and the drivers are not even likely to bring any business to our local economy.

This situation is getting worse over time. I have lived here for over 9 years now. I am thankful that

the builders of the Toll Roads had the foresight to plan for these roads long ago. It only makes sense. San Clemente is the bottle neck point for essentially all traffic passing from LA to San Diego. The I-15 is not a practical alternative to the traffic that passes through here. As LA and San Diego continue to grow - and they will - this problem will inevitably get worse and worse.

Widening the 5 freeway through San Clemente will mean paving the city, encroaching on downtown, and is completely unacceptable to me. Double

decking the 5 will mean putting San Clemente in the shadow of a huge concrete structure. I cannot imagine San Clemente staying the same with a freeway that looks like the Harbor Freeway running down the middle of it.

Any Pico alignment will be equally intrusive to San Clemente, and surface street alternatives will provide little value for the impact they will have.

Failure to complete one of the freeway alternatives represents a huge waste of the investment made to date in the fo

othill tollroads. That investment was made with the commitment by voters that the project would be completed. Without the completion of one of the freeway alignments, the foothill freeways will go severely underutilized, essentially wasting billions of dollars, and failing to deliver to Orange County voters what they approved long ago.

TOUVET T

RSM CA 92688

Wildlife, Fisheries,
and Vegetation

I noticed that when the tollway initially started, that there were a lot of dead animals on the roadside. I also noticed that the tollway people did a marvelous job of removing the dead animals. Perhaps to make sure no one noticed the dead animals. Thank you, though, for bringing it to my attention that there were a lot of deer, cougars, bobcats, hawks and other animals which I was not aware that they existed in the area. They are real pretty, even when they are dead.

I have also noticed that there are not a lot of dead animals lately. I think that it is because they are all dead.

So, now we want to extend the tollway again, to get the ones which got away. I think we should just quit extending the tollways. The only ones who win are the buzzards, and they get killed, too.

"Your rates are too high". I would like to recommend no new tollways in California. We cannot afford them.

HURLBUT KARON

116 AVE
TRIESTE
SAN CLEMENTE
CA 92672

General Comment

Putting any extra traffic on Ave Pico is ridiculous. I can hardly get to the high school or take different routes out to Talega. I live in south San Clemente. As much as I don't want the toll road, there are too many people. People should have fought the building of homes, now the toll road is a must. It makes the most sense to have one at the south entrance of San Clemente. However, I have friends on that last street . It needs to be more toward Pendleton!

TOUVET T

RSM CA 92688

Land Use

Land use: The tollway is a private concern, yet it is paid for by my tax dollars.

I don't quite know how the tollway got the State of California to help pay for the tollroads. I also don't know how the State is utilizing my tax dollars to pay for the CA Highway Patrol to drive around giving tickets. I also don't know what gives the tollway the authority to give out tickets in the first place, because you are not an enforcement system. I think what is happening is obviously illegal, and I would recommend having the State judicial system look at this. I think it is obviously and patently illegal.

Since the use of the land by the tollway is obviously illegal due to conflict of interest, I would recommend that it be turned over to the State and turned into a freeway. We are already paying highway-use tax dollars, and with the tolls, we are just paying for it again and again. "Your rates are too high". I think we should just pay for it once and get it over with. I recommend no n

ew tollways, because it is just a land-use conflict of interest.

RUSSELL KEITH

2243 CALLE
OPALO
SAN CLEMENTE
CA 92673Project
Alternatives

I have looked at the tollroad alternatives and my preference is the Far East Corridor (FEC-M), purple as it would cause the least congestion in San Clemente.

WOOD PETER

2514 CALLE
JADE
AN CLEMENTE
CA 92673

Noise

Ave Vista Hermosa offramp has increased the noise since installation of the sound wall on the ocean side of the 5 freeway. We need a sound wall on the inland side to counter the effect.

W-18

| | | | |
|-----------------------------|---|--|--|
| WOOD PETER | 2514 CALLE JADE SAN CLEMENTE CA 92673 | General Comment | I live in Marblehead where the 5 Freeway can be heard 1 mile away all day and night. Can't tak one more down Pico. It's OK for the inland route and exiting at San Onofre. |
| BECK JULIE | 2201 AVE PLATANAR SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | It certain makes absolutely no sense to destroy the coastal area with the toll road when the western corridor is a possibility! Avenida Pico and Vista Hermosa are already so impacted with the building in Talega even a thought of adding more cars is ludicrous. Additionally, if anyone has been driving thru san clemente lately, the traffic on the 5 freeway is horrible. Clearly the ONLY sensible route is the western corridor coming in south of San Clemente!!!! |
| ERWAY DOUGLAS | 429 CALLE FAMILIA SAN CLEMENTE CA 92672-2133 | General Comment | My wife and I are in total support of the plans for theFar East Corridor (Modified).We believe that there is a need to ease traffic on the I5 and this alternative would be beneficial to the residents of this community. |
| GHIORSO MARK & MICHELINE | 23251 EAGLE RIDGE MISSION VIEJO CA 92692 | General Comment | We're very much in favor of the Southern Extension. Quality of life in So. OC requires we build extra infrastructure to accomodate the current and planned population that lives here. Count our two votes as very much in support!!!! |
| JENKINS THOMAS | 26762 MERINO CIRCLE MISSION VIEJO CA 92691 | Project Alternatives | The Far East alternatives are the only alternatives that should be considered in the Final EIS/EIR documents as meeting the purpose and need for the project and minimizing the impacts on the human environment. The TCA, Caltrans, and FHWA have an excellent history of minimizing the impacts to the natural environment. The Far East alternatives (3) are less than 1/3 cost of the I-5 widening alternatives and could be implemented much faster. The need is now not later, later, later. |
| JENKINS THOMAS | 26762 MERINO CIRCLE MISSION VIEJO CA 92691 | General Comment | I have been a resident of Mission Viejo for over 30 years and live within 1 mile of I-5. Any major improvements along I-5 would be devastasting to businesses and residents. The traffic growth needed to be handled by a new alignment for all those persons going between Riverside, Los Angeles, San Bernardino, and San Diego. A new alignment corridor is needed. Growing congestion on I-5 needed to be handled effectively with little disruption. |
| FAVERO MARTIN | 2339 VIA ZAFIRO SAN CLEMENTE CA 92673 | General Comment | <p>I am concerned about recent communications regarding the Transportation Corridor Agencies – Foothill South</p> <p>Specifically I am opposed to the building the Foothill South free way 241 expansion, and I am especially opposed to the three Pico Alternatives (Central Corridor, and the two La Pata options) that would significantly alter life as we know in San Clemente.</p> <p>I would be in favor of the Pendleton Far East option.</p> <p>I am opposed to the Central Corridor and the two La Pata options because such a routing would:</p> <ul style="list-style-type: none"> • Lower property values significantly • Significantly reduce the current quality of life by increasing noise level, disturbing Marble Head canyon animal life, creating visual blight and increasing air pollution • Significantly displace current homes, businesses, and schools <p>I have lived in San Clemente for years and have enjoyed its relatively peaceful and beautiful surroundings. I oppose the altering of these surroundings by adding traffic jams. If the 241 needs</p> |

expansion then we would favor the plan that would route the 241 east of San Clemente with a connection to I-5 in the vicinity of Camp Pendleton.

Martin and Mary Clare Favero

2339 Via Zafiro

San Clemente, CA 92673

General Comment

I am concerned about recent communications regarding the Transportation Corridor Agencies – Foothill South

Specifically I am opposed to the building the Foothill South free way 241 expansion, and I am especially opposed to the three Pico Alternatives (Central Corridor, and the two La Pata options) that would significantly alter life as we know in San Clemente.

I would be in favor of the Pendleton Far East option.

I am opposed to the Central Corridor and the two La Pata options because such a routing would:

- Lower property values significantly
- Significantly reduce the current quality of life by increasing noise level, disturbing Marble Head canyon animal life, creating visual blight and increasing air pollution
- Significantly displace current homes, businesses, and schools

I have lived in San Clemente for years and have enjoyed its relatively peaceful and beautiful surroundings. I oppose the altering of these surroundings by adding traffic jams. If the 241 needs

expansion then we would favor the plan that would route the 241 east of San Clemente with a connection to I-5 in the vicinity of Camp Pendleton.

Martin and Mary Clare Favero

2339 Via Zafiro

San Clemente, CA 92673

FAVERO MARY
CLARE 2339 VIA ZAFIRO General Comment

SAN CLEMENTE
CA 92673

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Mary Clare Favero

2339 Via Zafiro

San Clemente, CA 92673

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| HIROSE LISA | 2629 CALLE ONICE SAN CLEMENTE CA 92673 | Project Alternatives | I oppose the alternatives that have the toll road connecting to the I-5 at Pico. These alternatives will negatively affect our quality of life. It will displace homeowners as well as business and are very costly alternatives. I urge the committee to select an another route. |
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| STEGMAIER BRUCE | 323 CALLE FIESTA SAN CLEMENTE CA 92672 | General Comment | To whom it may concern at "The Toll Roads": |
|--------------------|---|-----------------|---|

My name is Bruce Stegmaier and I live in San Clemente. My address is 323 Calle Fiesta. Regarding the tollroad extension, I strongly oppose the Foothill-South Freeway 241 expansion through any of the six alternatives in San Clemente. I particularly oppose the Central Corridor Option on Pico.

If we build more roads, the roads will simply be followed by more new homes. We do not need to extend the tollroad.

If the tollroad must be extended, I very strongly oppose the proposed Pico connection with the 5 Freeway. I am a San Clemente resident. Pico is already a very busy main street. The proposed connection would exacerbate the current heavy traffic situation for area residents. It would also be extremely unattractive and would devastate the appeal of living in San Clemente causing our property values to plummet by 40% or more. The quality of life and financial security of the residents of San Clemente, particularly along the Pico corridor would be hurt greatly.

My wife and I moved to San Clemente two years ago with the intention of retiring here. We saved for years and payed a lot of money for our home because of what the area offered...peace, quiet and clean air. The tollroad extension would take that away because of noise and obstructed view; it would be an eyesore and and would increase air pollution.

Again I oppose the tollroad extension in general and very strongly oppose the proposed Central Corridor option on Pico.

Sincerely,

Bruce C. Stegmaier
323 Calle Fiesta
San Clemente, CA 92672
949/369-9606

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| SCHENCK JAMES | 2141 VIA TECA SAN CLEMENTE CA 92673 | Project Alternatives | I would strongly recommend the eastern corridors. The central ones look so close to an already busy area. I can only believe these alternatives will only make matters worse. |
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| XANTHAKIS STEVE/BARBARA | 2425 CAMINO BUCANERO SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | IN ADVANCE THANK YOU FOR READING MY COMMENTS REG. THE FOOTHILL SOUTH CORRIDOR. IF BE CHANCE THIS IS THE WRONG SITE PLEASE FORWARD. |
|----------------------------|---|--|--|

I AM A LONG TIME RESIDENT OF SC AND I HAVE BEEN WAITING FOR THE CORRIDOR TO BE COMPLETED INTO THE SC AREA. I THOUGHT THAT THE CORRIDOR COMING INTO SC WAS A GREAT IDEA AT INCEPTION AND IS EVEN A BETTER IDEA TODAY.

SOME SC RESIDENCE HAVE SIGHTED ENVIRONMENTAL REASONS FOR THE CORRIDOR NOT TO BE COMPLETED. THESE ARE THE SAME PEOPLE DRIVING THE NEW 8- CYLINDER SUVS POLLUTINGS THE AIR, DRIVING AT MOCK SPEED THROUGH THE EXSISTING COMMUNITY WHILE COMPLAINING THAT THERE ARE TOO MANY LIGHTS AND THAT THERE IS TOO DAMN MUCH TRAFFIC. THESE ARE THE SAME PEOPLE THAT HAVE BOUGHT THE HUGH NEW HOMES THAT HAVE WIPED OUT THE FOOTHILLS, ITS BEAUTY AND NOT TO MENTION ALL OF ITS INHABITANTS.

SO, AS I SEE IT, THESE PEOPLE MUST HAVE ALL MOVED HERE FROM

IRVINE, YOU MAY KNOW THE TYPE, THE ONES THAT WANT WHAT THEY WANT AT ANY COST. EVEN AT THE EXPENSE OF OUR QUIET LITTLE BEACH COMMUNITY AND ONCE T

HEY HAVE THEIR PIECE OF THE PIE THEY WANT PROGRESS TO STOP.

THESE PROTESTORS TO THE CORRIDOR, HAD NO CONCERN FOR THE EXSISTING ENVIRONMENT WHEN THEY MOVED HERE, OR FOR THE HUNDREDS IF NOT THOUSANDS OF COMMUTERS THAT TODAY RACE FROM THE FOOTHILLS THROUGH OUR CITY STREETS TO GET THE THE I-5.

GOD FORBID THAT THESE PEOPLE SHOULD HAVE TO EXPERIENCE A LITTLE NOISE FROM THE PROPOSED CORRIDOR EXPENSION, OR THAT THE PEOPLE IN THE NEW DEVELOPING AREAS COULD HAVE A BACK-WAY OUT OF THE CITY.

OUR LIVES HAVE BEEN CHANGED FOR THE WORST BY ALL THE DEVELOPMENT AND THE CITIES INCORPORATION OF NEW LANDS INTO THE CITY OF SC. THE FOOTHILL SOUTH CORRIDOR IS THE FIRST SMART THING THAT HAS BEEN PROPOSED TO HELP THE CITY REVERSE THOSE EFFECT. PLEASE DO THE RIGHT THING!! FINISH WHAT YOU STARTED, IT CAN ONLY HELP THE ENVIRONMENT AND OUR QUALITY OF LIFE.

THANK YOU FOR YOUR CONSIDERATION

MR.STEVE XANTHAKIS (HOME OWNER)

DOUGLAS JAMES 26476 ESTEBAN Project
MISSION VIEJO Alternatives
CA 92692

I support development of one of the three Far East alternatives. As a resident of Mission Viejo, I know we need to complete the Foothill Corridor to serve growing regional traffic and the planned future development in Ladera Ranch and Rancho Mission Viejo. The Far East alternatives are preferable to widening I-5 because they don't increase the high volumes that will use I-5 already. The Far East alternatives are preferable to the central corridor alternatives because they won't disrupt homes and businesses in San Clemente.

FIENE KYLE 2528 CALLE General Comment to Whom it may Concern:
JADE
SAN CLEMENTE
CA 92673

I have been a home owner in the City of San Clemente since 1997. There has been quite a lot of development in my area since then, most of it for the better. I understand the need for better access in and out of my community, especially during an emergency situation such as a problem at the San Onofre power plant. I am not so sure that a toll road through our town is needed however. The best option for our city would be the extension of La Pata through the landfill to connect with Antonio Parkway in San Juan Capistrano. This road would serve as another route out of the city besides using the I5. Although I do not like the idea of a toll road slashing through environmentally sensitive land, the only other option would be a toll road at the most eastern portion of our city. ANY OTHER ALIGNEMENT THROUGH OUR TOWN IS RIDICULOUS. To even contemplate taking out newly developed homes and businesses throughout San Clemente for the construction of a toll road boggles the mind.

CIMINO CAROL 719 AVENIDA Noise
AZOR
SAN CLEMENTE
CA 92673

Living in Marblehead, we already experience noise from the I-5 and by putting a toll road on the other side of this development, it will be extremely uncomfortable to live in this beautiful gated community.

CIMINO CAROL 719 AVENIDA Socioeconomics
AZOR and Environmental
SAN CLEMENTE Justice
CA 92673

Well established million dollar homes, people and businesses as well as the high school will be greatly impacted by using any alternatives other than the Far East Corridor. The value of already established homes as well as brand new homes in the Talega area will be greatly effected.

CIMINO CAROL 719 AVENIDA Land Use
AZOR
SAN CLEMENTE

Land that is not presently developed is the most logical route to take in continuing the Foothill-South Corridor.

CA 92673

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| CIMINO CAROL | 719 AVENIDA AZOR SAN CLEMENTE CA 92673 | Growth Inducing Impacts | I-5 is impacted almost 50% of the time. When the Marblehead Coastal Development is developed with more homes, an outlet mall, and hotel, the freeway will be even more packed in. I agree that a toll road will take the load off to some extent, but don't bring it all together at Pico or close to all that congestion. |
| CIMINO CAROL | 719 AVENIDA AZOR SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | Environmental studies that are taking place with the extension of the LaPata road can be used to gain insight as to the effect of the environmental consequences. |
| CIMINO CAROL | 719 AVENIDA AZOR SAN CLEMENTE CA 92673 | Project Alternatives | I am a proponent of the FAR EAST CORRIDOR portion of the Foothill-South Toll Road. |
| COSHLAND JAMES | 249 CALLE PUEBLO SAN CLEMENTE CA 92672 | Project Alternatives | Our family has lived in Orange County since 1962 and San Clemente since 1977. We think that there definitely needs to be another major north-south route between Orange county and San Diego County, and the Foothill-south transportation project appears to be the best choice at this time. It must be completed as soon as possible, and not terminated in Orange county, but continued into San Diego County at a point south of San Clemente. The best route is the most eastern route where it connects in the area of San Onofre. Any other option is not even worth considering as it completely defeats the purpose of the project, which is to provide an alternate route to Interstate 5. The worst choice is to route it through the Pico corridor, and the second worst choice would be to not extend it at all. The present traffic has gotten unbearable on I-5, and if an emergency such as a major earthquake or San Onofre mishap occurred, an evacuation of southern Orange County would be almost impossible relying only on I-5. We urge the most eastern route be adopted, and construction be started as soon as possible. |
| GOWDY GEMINA | 34601 CALLE PORTOLA CAPISTRANO BEACH CA 92624 | Project Alternatives | I support the Toll Road Expansions—all of them over the I-5 expansion. I completely dispute the I-5 expansion |
| GOWDY GEMINA | 34601 CALLE PORTOLA CAPISTRANO BEACH CA 92624 | Other Section of EIS/SEIR | Please do not widen the I-5 |
| GOWDY GEMINA | 34601 CALLE PORTOLA CAPISTRANO BEACH CA 92624 | General Comment | I am completely against the widening of the I-5 Freeway. I am a homeowner on the freeway and feel that the expansion of the Foothill Corridor to Pico or the I-5 @ Christianitos is the correct alternative to choose based on land availability and far less impact in that area. I will do whatever it takes to petition, to dispute and keep the I5 Freeway Homeowners from being faced with losing their properties. When the 241 was originally designed, it was designed with the intention to alleviate traffic on the 5. |
| AMON PHILIP | 6100 CAMINO FORESTAL SAN CLEMENTE CA 92673 | Project Alternatives | I would be in favor of one of the Far East Corridor concepts (FEC-M, FEC-W, A7-FEC-M), whichever is the most economical, provides best for environmental concerns, and allows for the best future traffic flow. |

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| AMON PHILIP | 6100 CAMINO FORESTAL SAN CLEMENTE CA 92673 | General Comment | I am a San Clemente resident and I am in favor of moving forward with the project. I believe the necessary scientific and environmental studies have been adequately done and the project should continue. The Foothills South tollway is a necessity and properly anticipates future development and traffic flow in and through the area. |
| HARRINGTON HELEN | 1027 VIA PRESA SAN CLEMENTE CA 92672 | Growth Inducing Impacts | Ave Pico is too crowded as it is - we don't need a toll road |
| HARRINGTON HELEN | 1027 VIA PRESA SAN CLEMENTE CA 92672 | Cumulative Impacts | We are running out of open spaces and wilderness - please STOP |
| HARRINGTON HELEN | 1027 VIA PRESA SAN CLEMENTE CA 92672 | Project Alternatives | I think San Clemente has grown enough - please don't make this toll road so more people move down here |
| HARRINGTON HELEN | 1027 VIA PRESA SAN CLEMENTE CA 92672 | General Comment | I am concerned that the toll road might lower my property value or even go right next to my house. I live on Via Presa - |
| | | Recreation Resources | The toll road would only take away from the beauty of the area. It would ruin camping in San Mateo State Park because of the noise and visibility. It would also ruin the trails walks and running trails that wind through that area. It will take away from the quality of life that my family and the families in my neighborhood cherish. |
| | | Project Alternatives | The TCA and government agencies should put forth more time in effort into developing a inexpensive and efficient mass transit system. There should be incentive for people to use other forms of transportation. Tax breaks and companies can offer paid vacation days to those that ride their bike to work, take the train or car pool. This should be a priority. By building more roads, especially one in the last watershed in Orange County, does not relieve traffic. If it works than why do polls show that traffic is worse and there are already toll roads? It doesn't work. |
| | | General Comment | <p>I have grown up in San Clemente and now reside here with my own family. We love where we live and enjoy the natural beauty that San Clemente offers: All three of the state parks that surround our residence, Trestles and all the other beaches that run up and down that coast, the hills to the east, and the down town area. We are now concerned that all of these amenities are disappearing due to uncontrolled development and if the 241-toll road is built all the reasons why many live here will vanish.</p> <p>There is no question that people want to move here, but the real question is what are the options we have to keep all in balance? The 241 tolls is not an answer. The results of the polls show that we need to address the traffic problems and traffic has got worse. Well, there have been toll roads made, why is traffic getting worse? Shouldn't toll roads alleviate traffic not create it? Obviously toll roads aren't helping to solve the issue. The more roads that are built will result in more traffic.</p> <p>Do we continue to build roads to help with traffic? Eventually anything green will be paved over. When is enough? Second, is the cost to build the toll road? The 241 are going to be the most costly toll built. The TCA wants the federal government to help with the cost (that is our tax dollars that they will use and then they will charge us to use the road we already would have paid for!) They are currently not able to afford the construction of it on their own, let alone profit from it. They are not making money on the roads they already have built; they are losing money and therefore have increased the fees to compensate. This doesn't make sense. It's like expanding a failing retail store.</p> |

W-19

Third, is the environment. If the previous reasons weren't enough, the environment should be a major reason not to pursue the toll further. There is one last watershed in Orange County, why put a toll road through it and wipe out the wildlife and endangered species that call this place home.

It is our responsibility to maintain, protect, and conserve our natural surroundings to keep the ecosystem in balance. It's not that people are less valuable, but we are the ones that can either destroy or cherish what God have given us. If this area is paved over several negative consequences will result: Run-off that will pollute clean ocean water, erosion because rain water will not have ground to absorb into, loss of wildlife and the further killing of wildlife, destruction of one of the last natural beauties of Orange County.

There are solutions to the population increase, but building a toll road through South San Clemente is an irresponsible one. Inexpensive mass transportation that is efficient would be the best solution that would be a great compromise. There are companies that offer incentives to take the train or car pool or even ride their bike, money should be put forth in promoting these alternatives. It would not only alleviate traffic now, it would do so for the future. There should

be tax breaks for those that do use these alternatives, or businesses could offer vacation days as an incentive! There are alternatives, it's just weather or not people want to be a solution instead of the problem. Toll roads (any more roads) are not a positive solution. Sincerely, Tonya Patrick

**Growth Inducing
Impacts**

It is obvious that developers want this to go through, it's pure greed. This road will lead to more housing and consequently there will be more traffic... I don't feel that more housing is necessary. There have been studies done with rats. The more rats put into a small place leads to the chaos and more problems. In the studies the rats killed each other. People tend to get more tense and irritable when there is over crowding. How is this helping the quality of life. Also, nobody has said anything about adding recreational facilities or schools. But that is to be expected because developers don't make money on those things.

**Cumulative
Impacts**

I am totally against this toll road. It will take away from the small town feeling that San Clemente has. Having a huge toll road travel through my town will take away from the quality and integrity the San Clemente has. It will only lead to the destruction of precious wildlife and the surrounding environment that gives this area character. More roads means more pollution. When is enough enough? At this rate of development there will be no more open space to enjoy and get relief. It is best if people put their minds to work on solutions with lasting effects, such as a mass transit system like what San Francisco and New York have.

**Threatened and
Endangered
Species**

Threatened and endangered species do live in this area and there is no such thing (As much as people would like to think there is) there is no such thing as a safe and environmentally suitable road. Road bring cars and cars bring pollution and also hit creatures that go unseen. There is the toad, gnatcatcher, and trout.

**Wildlife, Fisheries,
and Vegetation**

Wildlife in this area of Orange County is disappearing. It is our responsibility to protect what is left and preserve it for future generations. Taking away the home of one animal will result in an imbalance in the food chain and a disruption to the ecosystem. We need all these animals to keep infestations of insects and rodents down as well. Pollution that drains into the watershed and then into the ocean will also contaminate fish and animals that depend on these creatures to survive, not to mention those people who fish.

**Wetlands and
Waters of the US**

Run off from cars will only contribute to the destruction of the wetlands and the ocean. The proposed toll road in going right over the last major water shed in Orange County. This is also the home of a wide variety of wildlife that depend on this area for food and shelter. It is one of the last untouched beauties that has a bounty of wildlife that needs to be protected and cherished by people not destroyed.

Water Quality

More cars and the location of the toll road will contribute to run-off from the

cars. After all it's going over a large water shed that takes water to the ocean. We don't need more polluted beaches. Look at what all the traffic has done to Huntington Beach. I would hope that people would want San Clemente to be more prestine and charming, that is why people visit San Clemente.

Air Quality

More cars means more pollution in the air.

Noise

There would be an increase in noise pollution near my house. There would be noise for the campers that use the San Mateo Park as well. People go there to get away from all the noise and business. why would someone put a road in a location that it won't even be used? The Trestles location is a very poor choice since all the development is taking place north-east of there. Even then a toll road is a bad idea because it just increases traffic problems and reduces the amount of open space for future generations.

YEZBAK JOSEPH P.
31
SPRUCEWOOD
AVE
ALISO VIEJO CA
92656

General Comment

I wanted to voice my positive opinion on the construction of the toll road extension to the 5 FWY in San Clemente. Our area is growing rapidly and will continue to do so for quite some time. As a result we need to improve, expand and work to relieve congestion on our streets and highways. One good way to do this is through toll roads. They are paid for by the people who use them, they provide jobs and help our economy. Thsi in turn allows local agencies the money to build and maintain parks or other environmental areas.

Please mark me down for a yes on building the extension!

JACOBSON ERIC
ORANGE CA
92869

General Comment

I think the road should be connected to the 5 Fwy by the least expensive route possible.

CUSHING
MICHAEL
CA 92807

Land Use

Excellent use of land, and appropriate. If the environmentalists want to stop the toll roads, they should use PRIVATE funding, NOT tax-payer subsidized monies, to buy up the land. However, their use of the land should also undergo an EIR prior to their purchase, to see how the lack of improved volumes on the freeways/tollways leads to longer wait times and increasing pollution. Also, in case these generous folks are using the EIR to stall for time, make them come up w/ 1/2 of the projected cost of the land(including inflation and lost revenues) to be held in escrow, and to be applied to the ultimate purchase price of the land. Otherwise, the deposit will be forfeited to cover the cost of the new road!

CUSHING
MICHAEL
CA 92807

General Comment

This road must be approved. It will ease congestion on several freeways (55, 91, 5) and allow people to get where they're going more quickly. I drive all of these freeways throughout the week, and the traffic is absurd. The notion that people will start using metrolink or some other mass transit folly have their collective heads stuck in the sand. It is apparent that the politically correct feel that by wishing (and forcing) the mass transit system onto the people of Orange County, it will work.

CUSHING
MICHAEL
CA 92807

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

Screw the gnat-catcher and all his little friends. These "endangered" critters will get along just fine. As regards the gnat-catcher- I suspect this little bugger is doing what the spotted owls have been doing for some time now...inter-breeding into another species?!? By the time the EIR's, etc., are filed and any building of roads begins, the volume growth of the existing system will overwhelm the new roads!!

CUSHING
MICHAEL
CA 92807

Traffic and
Circulation

Unless someone has been living on the moon the last 20 years, it is obvious that ANY road building will help with our traffic congestion. There hasn't been enough freeway/tollway building over the past 20 years to relieve the congestion throughout southern California.

CUSHING

Threatened and

To be honest, I'm more worried about the frustrated, angry, wacked out drivers

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| MICHAEL | CA 92807 | Endangered Species | on our over-crowded freeway system than I have ever been as regards the "threatened" and "endangered" critters out there. Species spring up and die out every day, and have been doing so for eons. The environmentalists are using EIR's and other legal weapons to push their socialist agenda onto the rest of us. The tollway and freeways can be built now, with preserving the environment as part of the package. The environmentalists are essentially saying "Our way or the highway"...oops, guess that road's pretty congested... |
| CUSHING MICHAEL | CA 92807 | Wildlife, Fisheries, and Vegetation | What about these? I didn't realize that fish or other wildlife could drive...do they pay taxes? Again, why not let the environmentalists buy adjoining properties or land nearby that can be utilized to protect the above(again, placing a 50% deposit on that land while the EIR is being done) |
| CUSHING MICHAEL | CA 92807 | Air Quality | I would guess that the sooner people reach their destinations, the sooner they turn off the engines to their cars...hmmm, novel thought. Also, how about BIG tax breaks to encourage people to buy hybrid or electric cars that last throughout the ownership of the vehicle and which can be transferred over to new owners on sale of the used vehicle? |
| CUSHING MICHAEL | CA 92807 | Socioeconomics and Environmental Justice | Huh? |
| ANDERSON LOREN | 22081 CALDERAS MISSION VIEJO CA 92691 | Traffic and Circulation | This final segment of the 241 Corridor is a critical element needed to keep traffic flowing with the ever-increasing volumes each year that passes. |
| VAN HOLTEN CHUCK | 31961 EAST NINE DR. LAGUNA NIGUEL CA 92677 | General Comment | Please go forward with all possible speed to complete the southbound tollway...a moving car at freeway speeds causes less pollution than a car in stop and go traffic..my wife and are happy to pay the toll to avoid congestion and possible accidents, etc |
| JONES LINDA | 32217 VIA BARRIDA SAN JUAN CAPISTRANO CA 92675 | General Comment | As a resident, living adjacent to the 5 freeway, I witness and live the impact of the continuing gridlock in south Orange County. I believe the 241 toll road extension should immediately proceed. The current traffic gridlock hinders emergency response personnel and makes the "emergency" evacuation plan for San Onofre a joke. As experienced by the Laguna fires several years ago, any exodus from the coastal communities and surrounding areas is non-existent due to gridlock. The toll road expansion will provide some relief for daily commuters and emergency traffic. It will also reduce the omissions from vehicle exhaust while travelers "sit" on the freeway every weekend and many of the work commute days. |
| GLAUTHIER ROY | 336 VISTA BAYA COSTA MESA CA 92627 | Project Alternatives | <p>I am strongly opposed to the Far East Corridor-Modified (FED-M), Far East Corridor- West (FEC-W) and Alignment 7- Far East Crossover-Modified (A7-FEC-M) options as they intrude on limited and highly sensitive parklands and riparian areas. These options maximize the potential damage to these areas while creating transportation capacity which is not needed except to exacerbate the sprawl further south into presently under-developed and undeveloped areas.</p> <p>If the 241 Tollroad must be completed -- and that is a highly dubious conclusion -- the least intrusive option through already developed areas should be pursued. I encourage consideration of alternatives to increase capacity on the existing I-5 corridor and arterials to minimize the scope and impact of the 241 corridor.</p> <p>Orange County continues to lose its native, undeveloped lands at a high rate. Do not speed this process by bulldozing through this prime parkland to the detriment of future generations.</p> |

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| STANDIFER MILTON | 29031 MIRA VISTA LAGUNA NIGUEL CA 92677 | General Comment | We need it. It has to be built sooner than later. |
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| VAGUE AGNES | 28561 SPRINGFIELD LAGUNA NIGUEL CA 92677 | General Comment | Anyone who has driven through San Clemente on I5 knows what a bottleneck and traffic jam it always is. Finish the Toll Road South. It is needed to keep all of Orange County moving. |
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| SORENSEN ROGER | 608 CALLE EMBOCADURA SAN CLEMENTE CA 92673 | General Comment | I wholeheartedly support Foothill South extension. I'm sick and tired of the organized obstructionists getting all the ink in opposition to this much needed project. The obvious reason you don't, and will not see more public support at these organized hearings is the intimidation of ordinary folks by the special interest brats. I know myself that I would not stand for anyone from these "no growth-save the mouse" groups shouting me down or in any way trying to intimidate me. That is why I and other like me don't attend. At least we are smart enough to avoid what could prove to be a harmful and costly engagement. |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | Noise | tollroad = - |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | Land Use | tollroad = - |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | Water Quality | tollroad = - |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | Project Alternatives | Please do not even consider the "central corridor" alternative! It is the worst option in my opinion. |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | Air Quality | tollroad = - |
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| MORRIS FRED | 2156 VIA AGUILA SAN CLEMENTE CA 92673 | General Comment | Along with most of the my community I oppose the Foothill-South tollroad. |
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| CROPLEY RICHARD | 210 ESPLANADE SAN CLEMENTE CA 92672 | Threatened and Endangered Species | we really don't miss the passenger pigeon, so what makes you think the gnat catcher is so important?? |
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| CROPLEY RICHARD | 210 ESPLANADE SAN CLEMENTE | General Comment | the present traffic on I-5 is getting unbearable and will only get worse. we need an alternate route to leave town in case of a necessary evacuation. |

CA 92672

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| CARVER PAUL | 28 LA PURISIMA RANCHO SANTA MARGARITA CA 92688 | General Comment | <p>Having lived in south Orange County for nearly 20 years, it is interesting to see how the "no-growth" advocates continue to offer the same old worn-out reasons for not providing the necessary infrastructure that this area so desperately needs. The "NO on Everything" crowd seems to come in two types: those that moved here in the last 5 years and now want no more development since they have their little spot of paradise and those who don't live here but want to try and dictate to those who do that we should just put up with congested freeways and local streets. My answer to both types is: GROW UP and SHUT UP. If you don't want any more development, then you moved to the wrong area; please move back to where you came. If you don't live here then BUTT OUT. We don't want your interference and delays - we want a new road.</p> <p>This toll road extension MUST be built because it is already needed. Try going south on I-5 any evening or Saturday morning and see how much congestion there is already. And with the expected approval of 14,000 new homes in Rancho Mission Viejo, this road must be built and the sooner the better.</p> <p>Please don't let the nay-sayers derail this vital and desperately needed link for south Orange County.</p> |
| KINGDON STEVEN | 20800 VIA MARISA YORBA LINDA CA 92886 | General Comment | <p>My wife and I are in strong support of the extended south county road. It is critically needed for traffic congestion relief on existing roads and for future economic growth. It is shameful that it has been 10 years to date without moving forward. We need to intelligently advance transportation in the county and this road is key. We do not need a BOONDOGGLE RAILROAD TROLLY wasting millions of dollars and not addressing basic volume transportation needs. Let's move forward and get past the environmental wackos slowing progress.</p> |
| BRUINGTON ART | 23442 EL TORO ROAD W256 LAKE FOREST CA 92630 | General Comment | <p>I believe the completion of the Foothill Toll Road to a connection with I-5 near San Onofre is absolutely necessary. I recommend the best route be selected, and the project proceed to design and construction as quickly as possible.</p> |
| JACKSON GLORIA | 23 ASH HOLLOW TRAIL LADERA RANCH CA 92694 | Military Uses and Camp Pendleton | <p>Extending the 241 toll road would be great beyond description to me and other military families both active duty and retired. We use the Basilone Road entrance to Camp Pendleton and with the extension would be able to avoid the freeway.</p> |
| JACKSON GLORIA | 23 ASH HOLLOW TRAIL LADERA RANCH CA 92694 | General Comment | <p>Thank you very much to everyone who has worked on the awesome plans to extend the 241 toll road to Basilone Road.</p> |
| CURRERI ROBERT | 21 HUBBARD WAY COTO DE CASA CA 92679 | Project Alternatives | <p>If your going to do it make the extension really count...do the far east corridor! We should be able to end up in some place other than no man's land.</p> |
| WEST ROLLO | 22412 DESTELLO MISSION VIEJO CA 92691 | General Comment | <p>We enjoy the use of the 241 Toll Road whenever we travel to the inland area. To go all the way on the existing crowded freeway to Orange and up the 91 is really a pain. We frequently go to San Diego and San Marcos. It would appear that the extension now being considered would greatly reduce the traffic on the 5 from the 133 to San Clemente. I feel like those who use the toll roads for their</p> |

work would really benefit. I hope that enough of us write in to support the extension plans to show that we are interested, whether more of us showed up at the the hearing than the Sierra Club mustered or not.

May you proceed without delay.

Rollo D. West

WILLEY STEVEN 26 MONTANA
DEL LAGO
RSM CA 92688

Project
Alternatives

In my opinion, the FEC-M or FEC-W make most sense. They appear to be most reasonable in terms of cost and disruption to the environment.

WILLEY STEVEN 26 MONTANA
DEL LAGO
RSM CA 92688

General Comment

I support completion of the final segment of the 241 Toll Road. No road can be built without some environmental impact although it appears that many who object feel that unless there is zero impact, the road shouldn't be built. If we were to follow that guideline, no road would have ever been built in the past or will be in the future.

WINK MARLENE 27629 VIA
SEQUOIA
SAN JUAN CAP.
CA 92675

General Comment

I am in full support of the extension of the Foothill South. Please hurry - the congestion on the I5 is awful at times.

BANNER RICHARD 270 S MOHLER
DR.
ANAHEIM CA
92808

Growth Inducing
Impacts

I support the 241 South extension project. Many opponents cite that the project will encourage, foster and compel additional housing growth in the southern area of Orange County, but I submit that substantial housing and population growth in that area has already created a negative impact with regard to air quality and quality of life issues due to increased vehicle travel and congestion on existing roads and freeways.

The South 241 extension is needed as a means to mitigate these issues.

BANNER RICHARD 270 S MOHLER
DR.
ANAHEIM CA
92808

Traffic and
Circulation

I support the 241 South extension project. Many opponents cite that the project will encourage, foster and compel additional housing growth in the southern area of Orange County, but I submit that substantial housing and population growth in that area has already created a negative impact with regard to air quality and quality of life issues due to increased vehicle travel and congestion on existing roads and freeways.

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BANNER RICHARD 270 S MOHLER
DR.
ANAHEIM CA
92808

Air Quality

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DR.
ANAHEIM CA
92808

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The South 241 extension is needed as a means to mitigate these issues.

JANSEN RICHARD 4015 CALLE
MAYO
SAN CLEMENTE
CA 92673

Traffic and
Circulation

I write this on a Sunday afternoon, looking down on a stalled I-5 in San Clemente. There is need for an alternative to this route, and the 241 is the only existing proposal. Progressively, congestion in the south County has increased, and needs some relief. The longer this route is delayed, the worse it will get.

Having just returned from a trip to Florida, toll roads are a way of life there that serves to move traffic efficiently. We must face the reality that this is the case in southern California, as well.

JANSEN RICHARD 4015 CALLE
MAYO
SAN CLEMENTE
CA 92673

General Comment

It's time to join the 241 to the I-5. The continued development of the back country has not abated, and the need for an alternate route to I-5 is significant.

PELLIZZON
PETER

5 CORTE DE
NUBES
SAN CLEMENTE
CA 92673

General Comment

In reviewing the draft of the EIS/SEIR project, I find it confusing as to why you'd want to build the A7-ALPV(dark orange), C-ALPV, (light orange), CC9(yellow), or the AIO(blue). They all dump into the 5 at Ave Pico where most of the congestion is at. The only logical choices would be the FEC-M(purple,violet), FEC-W(lavendar), or the A&-FEC-M(green).

Please put us on your e-mail list for further news developments.

Best regards,

Peter Pellizzon

CA

General Comment test

PUCKETT DAVID

419 CALLE
PUEBLO
SAN CLEMENTE
CA 92672

Project
Alternatives

Please don't run the 241 up the "Central Corridor" (yellow on your map). Build the extension to the 241, but use the purple "East Corridor" to avoid proximity to existing homes and businesses. This has to be a less expensive alternative.

KAYE KATHY

18 MOUNTAIN
LAUREL
DOVE CANYON
CA 92679

General Comment

The people that do not want the toll road extension are in a state of denial. Our roads are over traveled creating pollution and a loss in quality of life. Human beings have rights too! We need that toll road south extension.

Kathy Kaye

GARZA MICHAEL

1018 CALLE
VENEZIA
SAN CLEMENTE
CA 92672

Noise

We know the noise is already greater than when we moved in 7 years ago. To live through the construction and resulting noise and unsightly overpasses could be totally unacceptable. Please don't bring the road down PICO.

GARZA MICHAEL

1018 CALLE
VENEZIA
SAN CLEMENTE
CA 92672

Traffic and
Circulation

Traffic is certainly more congested since Talega has been expanded but we can live with it. To bring the toll road down Pico would be devastating to us and all who live in this area. Please send the road through Pendleton.

GARZA MICHAEL

1018 CALLE
VENEZIA
SAN CLEMENTE
CA 92672

General Comment

My wife and I moved to San Clemente for the incredible beauty and peaceful nature this city and particular neighborhood provides us.

REAMES CECIL

21842 DELICIA
DR.
TRABUCO
CANYON CA
92679-3402

General Comment

I am in favor of the 241 toll road extension. I would like best the Central and alternative routes that connect to the I5 in San Clemente, as they would be more useful to me. However, I can understand that for traffic coming from farther to the south, connecting to the I5 south of San Clemente and might be advantageous. Again, I would like routes that crossed Ortega Hwy. as far west as possible (close to where Antonio connects).

TAYLOR STUART

28022 CAMINO
DEL RIO

General Comment

In my opinion, the most responsible alternative to the absolutely needed addition to our transportation system is The Far East Corridor - Modified (FEC-

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| | SAN JUAN CAPISTRANO CA 92675 | | M). |
| DEWINDT KIM | 665 VIA FAISAN SAN CLEMENTE CA 92673 | Project Alternatives | As residents of Marblehead community, our quality of life would be severely impacted by any one of the central corridor options or arterial improvements. I do agree that more highways need to be constructed to eliminate congestion. Given that need, the far east corridor appears to be the least disruptive of existing traffic, neighborhoods and businesses. |
| DEWINDT KIM | 665 VIA FAISAN SAN CLEMENTE CA 92673 | Traffic and Circulation | <p>The I-5 widening alternative is just scary. Going through minor resurfacing brings all cars to a mind-numbing crawl. Living through what would likely be years of construction on I-5 would have a major negative impact on overall quality of life in southern Orange County.</p> <p>The central corridor options have there own share of problems. Dumping Toll Road traffic onto surface streets (Avenida Vista Hermosa or Pico) to get to I-5 raises the potential for speeding, dodging and weaving - turning relatively peaceful streets into de facto freeways.</p> |
| SQUIRES JOHN | 19322 BECKONRIDGE LN HUNTINGTON BEACH CA 92648 | Growth Inducing Impacts | Living in Orange County since 1968 I've heard over and over how this highway project or that highway project will alleviate congestion in various parts of the county. These promises have never come true. The traffic is caused by suburban sprawl and uncoordinated regional development. New roads through wilderness areas--be they toll road or otherwise, alleviate traffic congestion, if at all, only in the very short term. What they do is open up additional areas for more development: more houses, more shopping plazas, more schools, more businesses, more traffic, more pollution, more congestion. Not to even mention what it does to the natural environment which the environmental groups focus on. |
| SQUIRES JOHN | 19322 BECKONRIDGE LN HUNTINGTON BEACH CA 92648 | General Comment | <p>As a long-time Orange County resident I oppose the building of any Foothill South Toll Road. I am not a member of any environmental "activist" group that oppose the toll road but I sympathize with their arguments.</p> <p>Sure more and more people want to move to Orange County but as more and more land gets paved over with roads and development the less attractive it will become. In my opinion the quality of life in Orange County has deteriorated significantly in the last 10 to 15 years. Unbridled development fostered by poor regional planning will only be encouraged by the paving of a Foothill South Toll Road. Yet we are led to believe that building this new road will alleviate congestion. That is so patently false.</p> <p>I hate to say it but we are approaching the point where we should just change the name of Orange County to "Concrete County." I will do my utmost to oppose the development of any new Foothill South Toll Road in order to preserve what little open space is left in Orange County and to prevent potential massive development in those areas. The proposed toll road only addresses the symptoms of a larger problem. And, as we focus on the symptom--congestion--we continue to ignore the need to slow down growth in the county. This proposed project like so many others makes us feel good because we're "doing something:" adding new roads, adding more lanes to existing roads, metering on-ramps, diamond lanes, etc. I'd like to be able to show my grandchildren what Orange County was like when you could still easily find citrus groves and strawberry fields around the county. Let's not make an irreversible mistake by putting a new road in the South County.</p> |
| SCHROEDER KAREN | 28101 GUNNISON CT LAGUNA NIGUEL CA 92677 | Project Alternatives | The only logical Alternatives are the easterly corridors that do not go thru San Clemente and connect to the I-5 in San Diego County |
| SCHROEDER | 28101 | General Comment | I believe that the extension of the SR 241 from Oso to the I-5 is the best way to |

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| KAREN | GUNNISON CT LAGUNA NIGUEL CA 92677 | | help overcome the existing and projected traffic congestion on I-5 in South County. It should be built as soon as possible. |
| KAYE GEORGE | 28 MOUNTAIN LAUREL DOVE CANYON CA 92679 | General Comment | I am supportive of the efforts to build the 241 tollway extension. We need to continue to build our infrastructure to support our growing population and alleviate congestions on the I-5 in San Clemente. Less time on the road also saves gas and means less pollutants in the air. The tollways are built in such a way as to minimize the environmental impacts. Let's get the 241 tollway extension started! |
| WEAKLAND RICHARD | 405 AVE GRANADA SAN CLEMENTE CA 92672 | General Comment | This section of the toll road must be completed. I encourage the agencies to approve for the construction to begin as soon as possible. We need this roadway in Southern Orange County to be built as soon as possible. The 5 Freeway is inadequate and is not able to handle the present day traffic through San Clemente. |
| HODGE MARK F | 32 VIA PACIFICA SAN CLEMENTE CA 92673-3910 | Project Alternatives | I don't think that it's necessary to have the 241 extension cut through the heart of San Clemente and be so disruptive. I therefore highly support the "Far East Corridor". On a secondary note, I very much feel that another toll road needs to be constructed linking the 241 in south OC with the 15 somewhere in Riverside or San Diego county. Having the entire county take 5 south to San Diego and Mexico is absolutely INSANE. OC residents need a better alternative to getting to the 15 than the 74 (Ortega Highway) which is a terrible road. |
| HODGE MARK F | 32 VIA PACIFICA SAN CLEMENTE CA 92673-3910 | General Comment | Since it seems that only vocal opposition to this project is being heard, I want to comment that I and many that I know are completely in favor of the 241 extension to the 5. Traffic in OC is absolutely ridiculous and OC is fast becoming "LA South" in the traffic department. It is beyond me that so many can be so short-sighted as to what doing nothing to improve traffic in OC will do to the economics and 'livability' of the county. |
| SMITH SUSAN | 27475 PASEO MIMOSA SAN JUAN CAPISTRANO CA 92675 | Public Services and Utilities | Isupport the foothill south toll road - It is mandatory planning |
| SMITH SUSAN | 27475 PASEO MIMOSA SAN JUAN CAPISTRANO CA 92675 | Growth Inducing Impacts | I fully support the foothill south toll road; We cannot stop growth! -- I agree with the Register editorial on the opinion page, dated Friday, July 9, 2004 |
| SMITH SUSAN AND STEPHEN | 27475 PASEO MIMOSA SAN JUAN CAPISTRANO CA 92675 | Public Services and Utilities | We support the south foothill toll road |
| SMITH SUSAN AND STEPHEN | 27475 PASEO MIMOSA SAN JUAN CAPISTRANO CA 92675 | Growth Inducing Impacts | We fully support the Foothill South toll road!! |
| EDMAN DIANNE | 730 AVENIDA | Threatened and | The falcon, Calif. gnatcatcher, and least Bell's vireo will be threatened. |

W-20

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| | AZOR SAN CLEMENTE CA 92673 | Endangered Species | |
| EDMAN DIANNE | 730 AVENIDA AZOR SAN CLEMENTE CA 92673 | Noise | The increased noise added to the already high level of noise from the I-5 freeway would significantly have an adverse impact on our community of Marblehead. |
| EDMAN DIANNE | 730 AVENIDA AZOR SAN CLEMENTE CA 92673 | Wildlife, Fisheries, and Vegetation | We have many species of animals and birds that will be adversely affected by a tollroad. We have deer and coyotes in the canyon. We have falcon, hawks, roadrunners, owls, dove, quail, and many beautiful small birds. |
| EDMAN DIANNE | 730 AVENIDA AZOR SAN CLEMENTE CA 92673 | Wetlands and Waters of the US | We have a small creek running through the bottom of the canyon between the community of Marblehead and Ave. Pico that helps support all the wildlife in the canyon. |
| EDMAN DIANNE | 730 AVENIDA AZOR SAN CLEMENTE CA 92673 | Project Alternatives | Central Corridor Alternative According to your own analysis this central corridor has one of the highest impacts on the area and next to widening the I-5 WOULD COST MORE THAN ANY OTHER CORRIDOR |
| EDMAN DIANNE | 730 AVENIDA AZOR SAN CLEMENTE CA 92673 | Air Quality | The fumes and exhaust will be increased greatly. |
| ZUERLEIN JOHN | 311 CALLE DELICADA SAN CLEMENTE CA 92672 | General Comment | Transportation Corridor Agencies Attn: Marcie Cleary-Milan, Deputy Director 125 Pacifica Irvine, CA 92618-3304 Re: Foothill-South Transportation Project I am writing in opposition to any toll road alignment that uses Avenida Pico as access from the toll road to I5. San Clemente is already bisected North and South by the I5 freeway and slicing an East West road to quarter the city is not only by far the most expensive alternative it would severely impact the quality of life in San Clemente by adding noise and air pollution while reducing scenic views for homeowners that are not displaced. My priority for extension would be: 1) To only extend the current toll road through to Ortega Highway and stop. 2) Extend the toll road all the way through to the I5 south of San Mateo Creek. 3) Do nothing. I am absolutely opposed to any of the alignment that use routes through San Clemente to reach I5, especially the Ave Pico alignment. |

Thank You

John Zuerlein, 30 yea

r resident of South Orange County (8 years in San
Clemente)

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| DETTWYLER HRUDOLPH | RSM CA 92688 | General Comment | I WANT TO ENCOURAGE THAT THE BOARD PUSH TO COMPLETE 241 TO JOIN I-5 AT SAN ONOFRE.. |
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| CLIFFORD SHERRY | 24 VIA PACIFICA SAN CLEMENTE CA 92673 | Cumulative Impacts | The proposed toll road would impact the quality of life in San Clemente in a negative fashion without providing any benefits to its citizens. Nor would be adequately treating the problem of traffic congestion running along the I-5 corridor. |
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| CLIFFORD SHERRY | 24 VIA PACIFICA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | All of the proposed toll road routes would damage open spaces and some would destroy one of the last native beach on the California coastline. Storm water runoff is always a problem that governments try to mitigate at a heavy cost. If you don't put the tollroad in then you don't have to deal with the expense of treatment and mitigation in the first place. |
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| CLIFFORD SHERRY | 24 VIA PACIFICA SAN CLEMENTE CA 92673 | Traffic and Circulation | None of the proposed toll road routes would truly and effectively create less traffic on the I-5 freeway or even mitigate the expected increase in traffic. It would only increase it. The only perceived benefit would be to enable those individuals who have moved out to the Riverside area to get to the coast easier. As a north/south alternative, people would not travel the proposed toll road routes to avoid I-5. I-5 needs to be widened to effectively deal with the increasing traffic congestion through Orange County. In reality, additional traffic would be dumped into the I-5 from the proposed toll roads by the 14,000 homes that are being proposed by the Rancho Mission Viejo developer who would benefit from the toll road. |
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| CLIFFORD SHERRY | 24 VIA PACIFICA SAN CLEMENTE CA 92673 | General Comment | As homeowners in the Villa Pacifica Development in San Clemente, commuters from Orange County to Santa Ana and Costa Mesa, California and concerned citizens who wish to protect our open spaces, we, Robert and Sherry Clifford oppose the proposed toll road and its alternatives in its entirety. As one of the proposed alternative routes for the toll road, our home would be destroyed. We came into the community and this particular location believing that this would be our dream home. It has been. We are within walking distance to schools, shopping and the beach. The public high school has been rated in the top 4% of the nation. No condemnation proceeding would provide us with the ability to buy this type of lifestyle nor would it for the other 598 homes in the proposed route that would be condemned. The City of San Clemente would be losing the tax base of 598 homes and not gaining any tax revenue from the proposed toll roads and would be additional expense that San Clemente would have to provide for stormwat er treatment and runoff into waterways and oceans. |
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| SANDERS CALVIN | 159 W. LOBOS MARINOS SAN CLEMENTE CA 92672 | General Comment | The need for additional roads to handle our traffic is obvious. The sooner the better.PLEASE, PLEASE use the inland corridor into San Onofre. It makes no sense to jam all the additional traffic through the middle of San Clemente. |
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| GERARD WILLIAM | 5145 VIA PRIMARIA YORBA LINDA CA 92886 | Other Section of EIS/SEIR | Regarding the extension of the 241 south to San Clemente: I would encourage you to choose the route that is most economical, and requires the taking of the least amount of improved property. The negative economic impact of not extending the 241 to south county is far greater than the emviornmentlists would have us believe. |
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Project

I fully support extending the 241 Toll Road to the I-5. My order of preference:

Alternatives

- 1) CC--Yellow
- 2) FEC-W--Lavender
- 3) FEC-M--Violet

In my opinion, it MUST be built. There needs to be an alternate way for those of us who live in Eastern O.C. to connect to the I-5 South.

As someone who lives next to the toll road (Los Alisos/Marguerite), I find the toll road a very convenient way to get the North 405/I-5 (via the 133). By completing the project by extending the 241 to the I-5, you will contribute to a much easier drive for many of your customers.

Thanks for the opportunity to comment on this project.

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| ALBERS DANIEL | 226 W. AVE. GAVIOTA SAN CLEMENTE CA 92672 | General Comment | This is an absolutely vital road/transportation project that is needed in south Orange County. I am completely satisfied that this can be done in an environmentally safe manner. It is about time that the people of Orange County be served as a No. One priority rather than the boogey men so called endangered species and all the other phony reasons that are brought forward to block a needed project. |
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| PUTMAN CINDY | 11 WOODSONG LAS FLORES CA 92688 | General Comment | Exactly what types of Arterial Improvmnts are slated for Antonio Parkway, specifically in the area of Las Flores??? The information given isn't clear. Thank you for your time. |
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| SEWELL BRADLEY | 203 CALLE DORADO SAN CLEMENTE CA 92672-2103 | General Comment | I am against "all Pico alternatives". There is plenty of open space in the "Foothill South" route without impacting many existing homes and businesses. |
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| KERNS DONALD | 11441 LAMPSON AVENUE GARDEN GROVE CA 92840 | Project Alternatives | Please consider the alternative routes that join I-5 south of San Clemente, as traffic always slows in that area. |
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| CHIARAMONTE PETER J | 26415 VIA LARA MISSION VIEJO CA 92691 | General Comment | I am very much a fan of preserving our environment and have been for more than 50 years. However, I am also very depressed at the amount of congestion that is taking over our road ways. My job requires that I do a lot of traveling, from the East Coast to Hawaii. However, when I am at home (Mission Viejo) and doing business in Ca., I do a lot of driving (both So. Ca and N. Ca.). I would very much like to see the "Alignment 7-Far East Crossover-Modified (A7C-FEC-M)-Green" route installed. |
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Thank you,
Peter J. Chiaramonte

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| CLARKE DEBRA | CORONA CA | Affected Environment, Environmental Consequences, and Mitigation Measures | SEE ABOVE |
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| CLARKE DEBRA | CORONA CA | Project Alternatives | PLEASE DO NOT BUILD THE FINAL SEGMENT, IF YOU BUILD IT, ON ANY OF THE FAR EAST ALTERNATIVE ROUTES. THIS WOULD HAVE A TERRIBLE AND DEVASTATING IMPACT ON THE ENVIRONMENT. |
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| | | Project Alternatives | What is most important to me is to gain the greatest amount of traffic relief while disrupting the least amount of people (homes & business)while getting the most advantage for the buck. My vote is for one of the Far East options |
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which all seem pretty similar. The Far East (west) seems to be the best value in this group. If I had to choose an alternative to the Far East options it would be the "Central Corridor La Pata Variation". I'm not sure the 7.8% of congestion is an acceptable level however it's the most reasonable \$ wise. and only loss of 2 homes.

Please don't let the environmental wackos nix progress on this project. We are not talking extinction on any of these things on your list, they will exist elsewhere. It's obvious the California gnatcatcher is all over the place throughout the area so if we lose a few, so what! and oh my! what we do without the "Thread-leave brodiaea" which most of us never knew existed. The definition of a weed is a plant out of place. So if the toll road means they need to take some of them out they are a weed. I've got no problem removing weeds!

Thank You,
Resident
Russ Yankie
77 Mira Mesa
Rancho Santa Margarita, CA

Noise The noise for thousands of residents would be unbearable.

Cumulative Impacts Please respond with the direction this is leaning so I can sleep tonite.

Thanx, Bill

Project Alternatives My reason for this e-mail is to indicate that whereby I do realize some road is inevitable, I wasn't really even taking seriously the idea that they might run it down Pico. This option really doesn't even make sense. Is it seriously being entertained?

Traffic and Circulation Traffic coming south on the 5 already backs up because of the hill between Mariposa and Pico. This would only exacerbate this problem.

General Comment I am a homeowner in San Clemente and have not really paid too much attention to this toll road expansion (108). Personally I would rather not see any new highway, but am realistic enough to know that it is necessary and probably is unstoppable.

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| NICKEL RANDY | 2244 CALLE OPALO SAN CLEMENTE CA 92673 | Land Use | With additional roads come additional development. If the roads are not built over-development will not be as likely to continue and then the OC existing communities will refurbish. |
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| NICKEL RANDY | 2244 CALLE OPALO SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | The development of our open lands has got to stop somewhere, even at the inconvenience of motorists. |
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| NICKEL RANDY | 2244 CALLE OPALO SAN CLEMENTE CA 92673 | General Comment | We are very opposed to the foothill south extension. The only thing that makes sense is the expansion of I-5. |
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| PARKER PATRICK 26021 | | Traffic and | As a resident of Mission Viejo, our family believes the Toll Road must be built to |
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| | MONTANOSO DRIVE MISSION VIEJO CA 92691 | Circulation | handle the traffic of the newer communities to the east that are jamming our streets with out of town traffic -- specifically OSO Parkway. Without the completion of the Toll Road, Mission Viejo cannot handle the traffic of these new homes, stores and companies. We do not support the I-5 widening. We want to make sure the I-5 alternative includes all the project costs including: improving the freeway interchanges, local traffic signals and OSO and Crown Valley street widening that would be the obvious outcome of the I-5 widening. |
| KIMSEY SHANE | 15135 CAMPHOR WAY LAKE ELSINORE CA 92530 | General Comment | I come over Ortega Highway every morning and evening and would love a toll road that would quickly connect me with the Irvine area/ 261 toll roads. Currently have to go all the way to the 5 and then back track up to the 405 through the Y. I am sure that other people that take this route would be intrestested in having the "fastest" way to a major freeway and get off the tiny little ortega hwy. I would use it!! It has to be better than the 91 lanes which are the worst!! I could cut a lot of trave time out of my commute witch is already well over 1 hour mark. Thank you Shane Kimsey. |
| HART PERRAULT JUDY | 217 VIA PRESA SAN CLEMENTE CA 92672 | Project Alternatives | No on Pico or Vista Hermosa. We moved here because of the serene environment and views. |
| AUSPITZ JENNIFER | 1512 PROMONTORY RIDGE WAY VISTA CA 92081 | Project Alternatives | As a Toll Road user living in San Diego County and working in Orange County, I would definitely use the Far East Corridor Violet or Lavender on the map. It would be great to be able to use the toll road beginning at Basilone Road and taking it to the 91 Fwy. I would use it all the time. Keep the construction projects away from the main cities to avoid traffic congestion while construction is in process. Widening the 5 Fwy would cause so many congestions problems it would be a nightmare. Thank You |
| TEZER JEFF | 5002 PALMERA DR OCEANSIDE CA 92056 | General Comment | I have no opinion on which of the 3 far east corridors are used, but I feel very strongly that the 241 should be completed all the way down to Basilone Rd. There is too much traffic on the I-5 through San Clemente. |
| KING ARTY | 387 NUTWOOD ST BREA CA 92821 | General Comment | I am a current Toll Rd user (#6000002467094) mostly to RSM. In the near future (Oct/Nov '04) & for the next 10 yrs I'll be frequently traveling between Norco/RSM & Carlsbad. Therefore any Toll Rd connection between Oso Pkwy & Basilone Rd would be most helpful; I would/will support & use whichever of the proposed three routes is least expensive. |
| GREEN SUSAN | 41500 ORTEGA HWY SAN JUAN CAPISTRANO CA 92675 | Project Alternatives | I am in favor of The Far East Corridor (violet) or the Alignment 7-Far East Crossover (green) |
| GREEN SUSAN | 41500 ORTEGA HWY SAN JUAN CAPISTRANO CA 92675 | Traffic and Circulation | I live near Caspers Park on Ortega Hwy. Traffic is very dangerous because of all the curves and traffic moving too fast during rush hour. I and all in my family drive Ortega every day. To cut the amount of traffic would be a blessing.I am in favor of the far East Corridor (violet) |
| SMITH JUDY | 413 AVENIDA TERESA SAN CLEMENTE CA 92672 | General Comment | I currently use the road from Oso Parkway to the 91 Freeway. Any added toll road travel to Pico and maybe further south I would utilize and be grateful. |

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| CZERWINSKI JEFFREY | 1225 VIA VISALIA SAN CLEMENTE CA 92672 | General Comment | I believe that an extension of the 241 south is important in relieving the traffic congestion of South Orange County. I prefer the far east corridor option because in addition to helping I5, it would also help alleviate some of the congestion coming in from Ortega Highway in the morning rush hour. Orange County's population will continue to grow and we need to address these traffic issues sooner than later. |
| <hr/> | | | |
| RILEY JIM | 24 POTTERS BEND LADERA RANCH CA 92694 | Project Alternatives | I would like to submit my support for the extension of the toll road to South County. I am in particular favor of the Central Corridor extension and far east corridor. I use the 5 fwy south on a regular basis beginning at Oso and Antonio traveling west to the 5 fwy. This addition will help to RELIEVE traffic on CROWN VALLEY PARKWAY. |
| <hr/> | | | |
| VANEK PETER | 4082 HOMESTEAD STREET IRVINE CA 92604 | General Comment | I support and urge the board to approved the Draft EIS/SEIR for the Foothill South Corridor extension. |
| <hr/> | | | |
| SIDLER BARRY | 27431 VIA SEGUNDO MISSION VIEJO CA 92692 | General Comment | <p>I received an outline of proposed projects for expansion of the toll roads in my bill for the month. My feedback is this. Granted I am concerned about the environmental impact of any freeway I favor any of the three options that finish south of San Clemente. Anything finishing in or above San Clemente would be unfavorable as the traffic through that area is already extremely congested at most parts of the day and especially the weekend. Of the three options that finish south of San Clemente I would favor a) the least devastating to wildlife habitat, then b) the most direct. If any of the paths do have wildlife impact I would support any plan that provided wildlife overcrossings or undercrossings as part of the plan.</p> <p>Thank you for hearing my comments.</p> <p>Barry Sidler</p> |
| <hr/> | | | |
| BURCKLE ALTON | 2157 VIA AGUILA SAN CLEMENTE CA 92673 | Land Use | The land use for for the other routes is hardly used. What small wildlife that exist there can be moved to other locations. |
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| BURCKLE ALTON | 2157 VIA AGUILA SAN CLEMENTE CA 92673 | Coastal Zone | Putting the Foothill South Corridor further Southwest makes the best use of the zone as it does not affect the quality of life nearly as much as connecting to I5 at Pico or Hermosa. |
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| BURCKLE ALTON | 2157 VIA AGUILA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | Mitigate the wildlife enviroment by either trading or moving some habitat on the other routes. |
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| BURCKLE ALTON | 2157 VIA AGUILA SAN CLEMENTE CA 92673 | Project Alternatives | Please do not consider the Central Corridor Complete, i.e. CC, CC-ALPV OR A7C/ALPV. You will destroy our homes, views and quality of life. Isn't it better to move or mitigate some wildlife than destroy people's lives? Fumes from vehicles will make living adjacent to Pico or Hermosa intolerable |
| <hr/> | | | |
| SCHULTE CARL | 38 APPLE VALLEY IRVINE CA 92602 | Project Alternatives | The arterial improvements and the I-5 widening are ultimately key to whatever is done ground transportation wise and should be done no matter what other options are or are not selected if for nothing else than a bit of potential redundancy should a natural or other disaster reduce, destroy or disrupt other ground transportation similar to what happened to some roadways following the "Northridge" earthquake. |

SCHULTE CARL 38 APPLE VALLEY
IRVINE CA 92602

Traffic and
Circulation

I do not see the overall best option being one of extending the 241 any further without first widening the 5, improving arterial roadways and more importantly developing far greater HOV (dual lanes per direction per highway (I-5 for example) and also expanding out metrolink capabilities far beyond what presently exist before any toll road expansion. Quite honestly I'd rather take a train to work and home than drive anywhere and if not that, then having more robust HOV capabilities would be great advantage. I do currently use the toll roads and even now am finding that while it's capacity isn't exceeded, should this expansion take place the whole of the tollroad will need it's own expansion projects at the same time however this aspect is not being addressed in any alternative. Improve what we have first and overbuild it's capacity, expand mass transit capabilities and options and then look at this expansion again.

SCHULTE CARL 38 APPLE VALLEY
IRVINE CA 92602

General Comment

I think the better option is a combination approach as with many projects

BROMBACH DOUGLAS 29892 IMPERIAL DRIVE
SAN JUAN CAPISTRANO CA
92675

Project
Alternatives

The need to complete a multilaned alternative to the I-5 in south Orange County is urgent. The corridor needs to be completed to San Clemente, ideally joining the I-5 near San Onofre. Expansion of the I-5 is not a reasonable alternative to the tollroad completion.

BROMBACH DOUGLAS 29892 IMPERIAL DRIVE
SAN JUAN CAPISTRANO CA
92675

Traffic and
Circulation

The need to complete a multilaned alternative to the I-5 in south Orange County is urgent. The corridor needs to be completed to San Clemente, ideally joining the I-5 near San Onofre. Expansion of the I-5 is not a reasonable alternative to the tollroad completion.

BROMBACH DOUGLAS 29892 IMPERIAL DRIVE
SAN JUAN CAPISTRANO CA
92675

General Comment

I strongly support the immediate extension of the southern portion of the 241. The need to complete a multilaned alternative to the I-5 in south Orange County is urgent. The corridor needs to be completed to San Clemente, ideally joining the I-5 near San Onofre.

KILLION DAVID 2309 CALLE BALANDRA
SAN CLEMENTE CA 92673

Project
Alternatives

Connection At avenida Pico would cause a severe

traffic constriction and cause a visual blight on the environment in the middle of town. A connection further south would be in the best interest of the community.

PRICE FREDERICK 2464 CALLE AQUAMARINA
SAN CLEMENTE CA 92673

Traffic and
Circulation

Refer above comment.

PRICE FREDERICK 2464 CALLE AQUAMARINA
SAN CLEMENTE CA 92673

General Comment

As homeowners in the Marblehead Community of San Clemente, we are unalterably opposed to the construction of the planned transportation corridor (freeway) along Avenida Pico. Our community is already bordered by two major arterial highways that negatively impact our quality of life. Daily, thousands of vehicles pass within a few hundred feet of our homes, causing air pollution, noise pollution, and visual blight. To compound this already horrendous situation by building yet another nearby transportation corridor, is beyond our comprehension. Please, do not build it.

LEE JOEY 27561 GABLE STREET

Cumulative
Impacts

As long as the Far East Corridors have on and off ramps at Avenida Pico in San Clemente, I fail to see the positive benefit of using the more westerly

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| | CAPISTRANO BEACH CA 92624 | | corridors. The orange and yellow corridors would unnecessarily congest city street that are near, or soon will be near above normal capacity through projected annual city growth. |
| LEE JOEY | 27561 GABLE STREET CAPISTRANO BEACH CA 92624 | Traffic and Circulation | <p>I feel that terminating the toll road to a city street in San Clemente would further congest the local area with non-resident commuter traffic, i.e. the light and dark orange routes.</p> <p>I feel that commuters between the South County and the Inland Empire would benefit from a more direct route such as any of the three Far East Corridors, i.e. violet, lavender or green.</p> |
| BRANSTROM MONICA | 2413 AVE. MASTIL SAN CLEMENTE CA 92673 | General Comment | As a parent and homeowner of San Clemente, I vehemently oppose the construction of this section of the toll road to terminate at Ave. Pico or Vista Hermosa. As it is now, there is too much traffic coming from Talega to the freeway. Vista Hermosa has become very dangerous for my and other kids to walk to school (even though we live only a half mile from Marblehead Elementary). Please consider the termination point farther south, like nearer to the Marine Base. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Project Alternatives | I-5 Widening or Arterial Improvements, as identified in Tollroads Draft EIS/SEIR are the only options I support. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | General Comment | Expansion of road system should come with the least impact on the public as possible. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Visual Resources | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Cumulative Impacts | The alternative with the least impact to the environment and community is the I-5 widening. However, the extension of Antonio Parkway to Avenida Pico may be a second best alternative. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Historic and Archeological Resources | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Affected Environment, Environmental Consequences, and Mitigation Measures | All options other than those listed by me above have severe and dire long term consequences to the environment. These cannot be completely mitigated regardless of the effort made. The San Mateo Creek, for example, would be adversely impacted forever, should any of the alternative be chosen that go through this pristine wilderness area. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Coastal Zone | same as 4.9 |

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| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Coastal Barriers | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Wild and Scenic Rivers | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Threatened and Endangered Species | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Wildlife, Fisheries, and Vegetation | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Wetlands and Waters of the US | same as 4.9 |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Water Quality | Any of the alternatives through San Mateo canyon will cause an dramatic increase in pollution reaching the ocean at Trestles. This is a horrible consequence with significant long term detrimental affect to this pristine area. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Air Quality | All of the alternatives, except the I-5 widening, will cause dramatic increase in auto emissions in sections of the county that are not currently subjected to such a high degree of auto emissions. |
| MIGNOGNA ROBERT | 1702 AVE SALVADOR SAN CLEMENTE CA 92672 | Noise | All of the alternatives, except the I-5 widening, will have a severe impact on noise levels to the surrounding communities. |
| COHEN ARTHUR | 39 ESTERNAY FOOTHILL RANCH CA 92610 | General Comment | <p>The road starting from Oso parkway and going south to the 5 freeway at San Clemente is very much need and I support the program 100%.</p> <p>Sincerely,</p> <p>Art Cohen</p> <p>Resident of Foothill Ranch, CA</p> |
| CASTILLO DAN | 11 CALLE ALUMBRADO SAN CLEMENTE CA 92673 | Cumulative Impacts | My family and I are residents of Talega and we finally feel like we are in our dream home. More specifically, we live in the Portofino tract that runs along the large ravine facing Avenida La Pata and Vista Hermosa where a sports park is currently under construction. My wife and I commute to work every day, so we do agree that traffic relief will be necessary along the I-5 in the near future. Nevertheless, the Foothill-South project has a few alternatives that would not be conducive to living here. For example, the A7-ALPV, CC-ALPV, CC, and AIO all go through our backyard and the backyards of many other residents. I can only imagine the noise and pollution that would be caused by any one of |

these plans. Furthermore, our home and many others are currently valued at over 1-million dollars and any one of these options would destroy their values. Neighbors are already putting their homes up for sale because they are so worried.

The most obvious routes to consider seem to be those along the far eastern corridor for the following reasons:

1. On average, they are less costly, and we all know what a budget crunch the state of California is in.

2. It also makes sense that the residents of Talega, as well as the 14,000 new homes that will be built in Rancho Viejo, will have an exit/entrance on the north-eastern side of Pico in case of a natural disaster or sudden emergency.

3. No homes or businesses will be affected so there will be no revenue lost to the city of San Clemente.

For what it's worth, thank you for allowing us to express our thoughts and we hope that your agency will protect the value of our desired lifestyles in this community.

LITTLE JANICE 202 VIA SEDONA Noise
SAN CLEMENTE
CA 92673

Not only would I see the toll road from my home, but the noise would greatly impact the quality of life for Talega homeowners.

LITTLE JANICE 202 VIA SEDONA Project
SAN CLEMENTE Alternatives
CA 92673

Horried to discover strong consideration is being given to plans (La Pata) which would negatively impact every homeowner in the Talega development. If there are concerns with respect to environmental consequences to Trestles, then the solution should be to modify the original plan (far east) to include appropriate clean up measures. To instead pass the burden to homeowners, which also include financial, ie, the probable loss of home value, is unfair and short-sighted. To extend the Toll Road in full view of San Clemente's new developments is anti-thetical to the philosophy of San Clemente to avoid the blight on our beautiful landscape.

LITTLE JANICE 202 VIA SEDONA Recreation
SAN CLEMENTE Resources
CA 92673

San Clemente has the opportunity to use the land in question (La Pata) for recreational purposes that further the reputaton of San Clemente as a beautiful place to live and relax.

LITTLE JANICE 202 VIA SEDONA Air Quality
SAN CLEMENTE
CA 92673

The pollution that would settle into the area in and around the entrance to the Talega development as a result of the toll road traffic is an unreasonable and wholly unnecessary burden on Talega and other surrounding developments.

LITTLE JANICE 202 VIA SEDONA General Comment
SAN CLEMENTE
CA 92673

When I bought in the first phase of Talega in 2000 I was told the Toll Road extension would be built behind the hill of the development (far east), not in view of my home.

LUKASIK BILL 1001 S EL
CAMINO REAL Project
SAN CLEMENTE Alternatives
CA 92672

NO TOLL ROAD. Existing roadways (5)and surface streets should be expanded .

LUKASIK BILL 1001 S EL General Comment
CAMINO REAL
SAN CLEMENTE
CA 92672

The Trestles/ San Onofre Area is SACRED and should be protected and preserved at all costs. Growth should be minimized and managed with environmental quality THE PRIORITY.

NIX JOSEPH 2421 VIA MERO Project
SAN CLEMENTE Alternatives

Transportation Corridor Agencies-Foothill South:

CA 92673

In regards to the CC-ALPV, CC and A7C/ALPV proposals, each of these would cause significant increases in traffic, noise and air pollution on Avenida Pico and/or Avenida Vista Hermosa. Since we reside in Marblehead (in between both Avenida Pico and Avenida Vista Hermosa), we strongly urge the TCA to NOT adopt either of these proposals.

Regards,

-Joe Nix

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| REINERT GARY | 17900 VON KARMAN AVE #150 IRVINE CA 92614 | Growth Inducing Impacts | Why would anyone try to control growth by stopping the final phase of an efficient Toll Road system? If we want to control growth, we need to do it with a well thought out Master Plan not by strangling traffic! What ever we do in terms of controlling growth, we need to make sure that that plan is complete and provides for all of our needs including efficient road systems. Finish this great Toll Road segment. |
| REINERT GARY | 17900 VON KARMAN AVE #150 IRVINE CA 92614 | Cumulative Impacts | Some individuals and groups have opposed each of our Orange County Toll Roads as we have been planning and building them and there are trade-offs to everything but these Toll Roads are needed for now and our future and we need to complete the final section. |
| REINERT GARY | 17900 VON KARMAN AVE #150 IRVINE CA 92614 | Other Section of EIS/SEIR | We've come so far with this great Toll Road - Let's finish it with the final section to assure we get its full benefit. |
| REINERT GARY | 17900 VON KARMAN AVE #150 IRVINE CA 92614 | Traffic and Circulation | The Toll Roads that have been built in Orange County so far are wonderful and needed to maintain our vibrant and efficient economy. We need this extension of the toll road to complete this efficient highway connection and be prepared for our future. |
| TRACY MARCIA | 21631 PARTRIDGE TRABUCO CANYON CA 92679 | General Comment | I would like to see the Draft EIS/SEIR project alternative extended with the Far East Corridor-modified (FEC-MI) - violet to reduce traffic congestion and delays in the San Clemente & San Juan Capistrano areas on the 5 Frwy. I would use this alternative to travel south to San Diego and back again to my home in Rancho Santa Margarita/Trabuco Canyon area. |
| FANE RYAN | 533 VINE STREET OCEANSIDE CA 92054 | Coastal Zone | The coastal zone can not be preserved if any of the toll road alternatives are implemented. The EIS/SEIR report is not complete in identifying all qualitative impacts that this project will have on existing coastal zone. |
| FANE RYAN | 533 VINE STREET OCEANSIDE CA 92054 | Project Alternatives | All the toll road alternatives are horrible ideas. Traffic through this area will not be significantly elevated by connecting the 271 to the I-5 by means of a new toll road. |
| FANE RYAN | 533 VINE STREET OCEANSIDE CA 92054 | Traffic and Circulation | Traffic through Orange County is dominantly coastal. The only alternative that should be considered is to widen the I-5 freeway which serves as the main corridor from San Diego to Orange County. |
| FANE RYAN | 533 VINE STREET OCEANSIDE CA 92054 | Recreation Resources | Specifically the San Onofre state parks and surrounding beaches should be avoided at all costs. These are vital parts of the community and will suffer detrimentally if the toll roads alternatives are selected. |

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| FANE RYAN | 533 VINE STREET OCEANSIDE CA 92054 | General Comment | As a commuter to the Orange County area and a local surfer of the area I will be directly impacted by this project. I feel that the only alternatives that should be considered is the widening of the I-5 freeway. |
| BAILEY PATRICIA | PO BOX 74086 SAN CLEMENTE CA 92673 | Project Alternatives | I firmly object to alternative proposals CC, CC-ALPV and A7C/ALPV. I support the Foothill south extension but DO NOT want it to impact Avenida Pico or Avenida Vista Hermosa. I STRONGLY favor either the FEC-M, the FEC-W or the AT-FEC-M proposals. |
| SMITH PAUL | 26961 CALLE MARIA CAPO BEACH CA 92624 | General Comment | We need more fwys! Build the toll road To come out south of the OC county line. Dumping it into Pico or San Clemente would be a disaster unless the 5 was widened significantly. Traffic is a mess right now so I'm all for building more freeway/toll roads. Whatever it takes to accomodate all the people who have moved in the area and who will move in the future. thanks. Paul |
| WILL GEORGE | 1021 CHANTILLY CIRCLE SANTA ANA CA 92705 | General Comment | I believe the Foothill-south extension is a great idea and should be completed as quickly as possible. We will use it frequently. |
| RICKABAUGH DAVID | 831 LAS PALMAS IRVINE CA 92602 | Project Alternatives | As for which route, I think the most direct to San Onofre seems like the most logical, which, if I'm reading the map correctly, would be the FEC-W(lavender line). Obviously, I don't know all the ramifications of environment and stuff(blah blah blah) but the less of the 5Fwy we have to drive the better. |
| RICKABAUGH DAVID | 831 LAS PALMAS IRVINE CA 92602 | General Comment | Well, my opinion as to the extension is, I'm all for it. Get movin' on it. Let's reduce the already over-burdened 5fwy traffic. |
| WASBIN STAN | 735 AVENIDA AZOR SAN CLEMENTE CA 92673 | Project Alternatives | FAR EAST -- YES! 7 OR CENTRAL CORRIDOR -- NO! |
| NOAKES MARY | 2013 VIA CONCHA SAN CLEMENTE CA 92673 | Traffic and Circulation | It is very hard to understand how the Central Corridor options for the toll road are going to have a positive impact on traffic flow. They would create nightmares for those living in these areas. Why would such a plan be proposed that travels right through established neighborhoods that are already congested with traffic from increased building? |
| NOAKES MARY | 2013 VIA CONCHA SAN CLEMENTE CA 92673 | General Comment | The thought of having to negotiate increased traffic congestion and be surrounded by "super roads" as presented in the Central Corridor options makes San Clemente's future quality of life somewhat questionable. Merge into the 5 at Pico, you've got to be kidding! |
| VANDERMEY THEODORUS | 80 VIA SANTA MARIA SAN CLEMENTE CA 92672 | General Comment | Recommend the far east corridor. We have to be realistic, more and more people are moving here and traffic must be improved. |
| JOHNSON SCOTT | 30055 | Project | I am for Far East Corridor-West (Fec-W) Lavender |

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| | COMERCIO RANCHO SANTA MARGARITA CA 92688 | Alternatives | |
| JOHNSON KELI | 140 PASEO VISTA SAN CLEMENTE CA 92673 | General Comment | Building an extension on the current toll road is only going to allow more building around the toll road and increase our traffic in the future. It is going to bring even more traffic into San Clemente and ruin our beaches and small community. An alternative must be found to extending the toll road. If you drive any of the toll roads in our area it is easy to see that people aren't using them and the 5 frwy continue to be crowded. Building an additional toll road will do nothing to alleviate the problem. |
| MASEK GREGORY | 21881 CONSUEGRA MISSION VIEJO CA 92692 | General Comment | I am in favor of extending the 241 tollway down thru San Clemente |
| MURRAY JASON | CA | Project Alternatives | <p>Please do not build the toll road through San Clemente. Use the existing infrastructure and widen the 5 if you must do something. The quality of life in our quiet town will be adversely effected by extending the toll road to connect with the 5 at trestles.</p> <p>We value our beaches, the town and most of all, the natural surroundings of southern O.C. Please do not ruin this beauty as it is one of the last areas of it's kind in the Southern California coastal area.</p> <p>Sincerely,</p> <p>Jason Murray.</p> <p>Concerned resident</p> |
| MURRAY JASON | CA | Other Section of EIS/SEIR | See above |
| MURRAY JASON | CA | Earth Resources | See above |
| MURRAY JASON | CA | Visual Resources | See above |
| MURRAY JASON | CA | Cumulative Impacts | See above |
| MURRAY JASON | CA | Affected Environment, Environmental Consequences, and Mitigation Measures | See above |
| MURRAY JASON | CA | Coastal Zone | See above |
| MURRAY JASON | CA | Wild and Scenic Rivers | See above |

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| MURRAY JASON | CA | Wildlife, Fisheries, and Vegetation | See above |
| MURRAY JASON | CA | Water Quality | See above |
| MURRAY JASON | CA | Air Quality | See above |
| GOETTE ALEX | 875 LOS ANGELES CA 90005 | Coastal Zone | Please take into consider all the beachgoers of San Clemente. Especially the Surfers. Trestles is such a gem in the midst of the city and it would be a tragic loss. Even a slight disruption in the ecosystem of the coastal area can have an immeasurable effect on the area flora, fauna, animals, etc. A major construction such as a toll road has the capacity to damage such a voluble and delicate place. Save Trestles. |
| GOETTE ALEX | 875 LOS ANGELES CA 90005 | Water Quality | <p>The building of a toll road near the beach has potential to reap havoc on the local beaches and oceans. Firstly with construction runoff from streams and rivers could be altered. For surfers this runoff is absolutely necessary to produce sandbars, which create the world-renowned waves of the area. Surfing in San Clemente is not just a rejected sport for misfits or outcasts. It is a passion and way of life for many, many of the areas residents. It is also, for the city, a lucrative business employing many through surf shops and contests. For surfers Trestles embodies the mystical and immense bliss known as surfers that locals covet and others dream about.</p> <p>I urge who ever in charge of this project as well as his staff to spend a day at Trestles to fully understand its magnitude and importance.</p> <p>Runoff from cars, pollution and noise will all have a negative effect on the area. Bottom line is there is no possible way to build a freeway through Nature without damaging it somehow. I construction is absolutely necessary I plead that you use every effort and scientific knowledge possible to minimize this damage.</p> |
| GOETTE ALEX | 875 LOS ANGELES CA 90005 | Affected Environment, Environmental Consequences, and Mitigation Measures | I am a surfer and a lover of that area. Please don't hurt Trestles |
| RUMPH ROBERT | 2107 VIA PECANA SAN CLEMENTE CA 92673 | Project Alternatives | Please consider wideing the 5 freeway versus this project. I really beleive the quality of life for us long-time South County residents will suffer as a consequence of the Foothill South extension. |
| VALERIE BRIAN | 33292 CHRISTINA DANA POINT CA 92629 | Project Alternatives | British philosopher Jeremy Bentham made the utilitarian argument for the greatest good for the greatest number of people. Utilitarianism, as well as any modern political philosophy of fairness, requires us to put at least a fair portion of the available funding into the very necessary I-5 widening alternative, as that is the route used by the vast majority of commuters, and will continue to be for many years to come. |
| GARLAND JANE | 310 VIA COLIBRI SAN CLEMENTE CA 92672 | General Comment | This should be built! |
| HANCOCK PEGGY | 431 CALLE EMPALME | Project Alternatives | If there must be an expansion, then the least effective alternative for all of the citizens of this community would be the "far east" corridor through Christianitos. |

SAN CLEMENTE
CA 92672

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| HANCOCK PEGGY | 431 CALLE EMPALME SAN CLEMENTE CA 92672 | General Comment | <p>I'm VERY AGAINST the 241 toll road extension down Avenida Pico in San Clemente. It would destroy my quiet, air-quality, quality of life, ocean view and then my property value. My view of the peaceful ocean & areas such as Ole Hanson Beach Club would be replaced with a sea of concrete, cars, oil & gas odors & emissions. This in turn would lower not only my quality of life but that of many San Clemente citizens. My children graduated from San Clemente Hi. The loss of the businesses & homes in the area is dispicable. I am outraged that I was just recently made aware of this alternative with very little time to do anything. I have spoken to many S.C. citizens who also have not been made aware of this. If this altenative does go through, I know that there will be a major fight to stop it. I hope that the "powers that be" will take into consideration of how many lives this alternative would affect.</p> |
| PARKER JANET | 2131 VIA AGUILA SAN CLEMENTE CA 92673 | Project Alternatives | <p>My Husband and I strongly oppose any alternative route that cuts through the heart of our city. The CC, CC-ALPV, and the A7C/ALPV routes are too near schools, businesses and homes and would SEVERELY impact the traffic on already overloaded streets. The southern most route is the only one that protects San Clemente. I know that the Transportation Corridor Agencies have given much time and thought to protecting the environment and realize that they also need to protect the community and the people they serve. Thank you.</p> |
| PARKER JANET | 2131 VIA AGUILA SAN CLEMENTE CA 92673 | General Comment | <p>The Toll Road is definitely needed. With only I-5 as a major traffic artery, we need an alternative not only for increased traffic, but for community safety.</p> |
| PARRA PAULA | 21362 COZY GLEN ROAD TRABUCO CANYON CA 92679 | General Comment | <p>I wish to submit my support for the southern most route extension of the 241 toll road. I live in Orange County but travel to San Diego County 1x a week to visit family. I would use the Toll Road to travel as far South as possible without hesitation. Also, many associates whom I work with travel from San Diego to Orange Countay each day and they also would use the Toll Road. As the 5 freeway (North and South) is currently configured, during peak traffic times the freeway is overwhelmed. With the proposed expansion of housing along this route it will be gridlock.</p> <p>In addition to concerns regarding normal traffic, should there be a need to evacuate people along the coast in the event of a disaster, the 5 freeway North will be unable to handle the demands placed on it. There is a need for an additional escape route to accomodate all the people in San Diego County and Orange County. By extending the 241 as far South as possible you will allow large numbers of people to evacuate over the mountains to Riverside co unty. This will take some of the pressure off of the 5 freeway going North to allow for a more orderly evacuation.</p> <p>I stongly advise that the expansion of the Toll Road be done to take the road as far South to link with the 5 freeway in San Diego County.</p> |
| MERCHANT PATRICIA | 261 TURTLE CREST DRIVE IRVINE CA 92603 | Project Alternatives | <p>I supported your project alternatives. I used the tollsroads almost four times a week. I am in medical field, and it is sure making life easy to go to work without congestion.</p> |
| MERCHANT PATRICIA | 261 TURTLE CREST DRIVE IRVINE CA 92603 | Other Section of EIS/SEIR | <p>Please consider this project because it is good for the future to releive the congestion along I5 and local city roads in San Clemented, San Juan Caspitrano and Mission Viejo.</p> |
| DOALSON JIM | 2416 VIA MERO SAN CLEMENTE CA 92673 | General Comment | <p>I live in the Marblehead community in San Clemente. I'm a toll road supporter, however, I, along with my neighbors, would vigorously oppose the Pico or Central Corridor alignment.</p> |

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| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Project Alternatives | Widen the #5 or build the Far East Corridor. |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | General Comment | I, and my wife, and family are opposed to the Foothill South Central (Yellow), and Central Corridor Variation (Light Orange). We are oposed to this variation of the proposed project because it would negatively effect our home value, quality of life, and create an enormous discomfort to our family and thousands of families living in our general area. This project should be taken as far out into the unpopulated area as possible. I believe the goal of this project is to relieve traffic congestion, not create it. Please plan to keep it off of the Pico corridor. I recommend either the Far East Corridor (Violet)or the far East Corridor West (Lavender). |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Growth Inducing Impacts | The growth impact to the area is obvious. Therefore, the quicker this project get onto the Military Reservation at Camp Pendleton the better for everyone. It must be the Far East Corridor for everyones sanity. |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Cumulative Impacts | The cumulative impact to our area by the installation of the Central Corridor would be a disaster, creating loss of property value, disruption of life style, and an overall sense of extraordinary disquiet for an endless period of time. |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Threatened and Endangered Species | See comments to #4.11 |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Wildlife, Fisheries, and Vegetation | This is a non issue as to all of the proposed plans. I call your attention to Malibu Creek in Los Angeles County, which is loaded with Steel Head Trout which congregate around the support columns for the new Pacific Coast Highway Bridge which was rebuilt about seven years ago. All this endangered species comment is non valid to this issue. Fact, not emotion should be taken into consideration in the matter. |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Welands and Waters of the US | Opposition to the Far East Corridor for this reason, is not justified. However, opposition to the Central Corridor for this reason is justified. |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Air Quality | The air quality during, and following completion of the proposed Central Corridor would be, to a great degree, negatively impacted by the proposed project |
| HORN KENNETH E. | 2713 CORTE AMATISTA SAN CLEMENTE, CA 92673 | Noise | As configured, the proposed Central Corridor would create a tremendous hardship on a large existing population of homeowners, and businesses, and create an enormous noise, both during construction, which could go on for many years, and afterwards for many, many lifetimes. |
| BUSMAN PHIL | 715 AVENIDA AZOR SAN CLEMENTE CA 92673 | Noise | Our developement already has the noise from the I-5. If the Foothill South were to be built along Ave Pico. (especially if it is elevated)we would get the noise from south and from the west. Both these roads would be within one quarter mile of our homes. |

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| BUSMAN PHIL | 715 AVENIDA AZOR SAN CLEMENTE CA 92673 | Project Alternatives | We fell the Foothill South would have the least impact on the citizens of San Clemente if the route chosen would be along the south east side of town connecting to the I-5 on the very most southern portion of town |
| BUSMAN PHIL | 715 AVENIDA AZOR SAN CLEMENTE CA 92673 | Traffic and Circulation | There would be much less traffic going though the already developed areas if the route would be built on the far east side of San Clemente, connecting to the I-5 at the far south side of San Clemente |
| BUSMAN PHIL | 715 AVENIDA AZOR SAN CLEMENTE CA 92673 | Air Quality | If Foothill South were aligned to Ave Pico, it would have a large negative impact to our air quality. We would have pollution not only from the I-5, we would also have polution from the Foothill South. |
| BUSMAN PHIL | 715 AVENIDA AZOR SAN CLEMENTE CA 92673 | General Comment | My family live in the Marblehead community in San Clemente. The Foothill South route that is proposed to be aligned along Ave Pico would have a very negative impact on my community. Business would have to be displaced. There would also be increased noise and polution to our area. |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Project Alternatives | Select the Far East West West or Far East West modified or even the Alignment 7 Corridor JUST STAY AWAY FROM PICO AND HIGHWAY 5. |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | General Comment | I-5 is already grid locked from Pico south during peak hours. Dumping additional traffic from 241 will make it a parking lot. You will be isolating my home from the rest of San Clemente and turning the quiet ocean view retreat I bought into a noisy worthless piece of real estate. Why are you even considering this alternative it makes o sense to displace so many people and a high school? |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Visual Resources | All I'll see from my home will be the freeway. There is nothing but open space on the Far East alternatives -- why ruin the beautiful San Clemente lives we have by putting a freeway in the middle of our ocean view. |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Cumulative Impacts | I-5 is already grid locked from Pico south during peak hours. Dumping additional traffic from 241 will make it a parking lot. You will be isolating my home from the rest of San Clemente and turning the quiet ocean view retreat I bought into a noisy worthless piece of real estate. Why are you even considering this alternative it makes o sense to displace so many people and a high school? |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Traffic and Circulation | There is no way that highwasy 5 can absorb the additional traffic from 241 at the Pico/5 intersection. Five south from that area is already a disaster. |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Air Quality | The added traffic on 5 from 241 will make the island air you are creating around what will be left of Rancho San Clemente unfit for human consumption. |
| A BARBARA | 46 FINCA SAN CLEMENTE CA 92672 | Noise | You will be isolating my home from the rest of San Clemente and turning the quiet ocean view retreat I bought into a noisy worthless piece of real estate. Why are you even considering this alternative it makes o sense to displace so many people and a high school? |
| REITLER JED | 6103 CITY | Affected | Undue traffic stress, noise pollution, and air pollution will befall Ave. Vista |

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| | LIGHTS DRIVE ALISO VIEJO CA 92656 | Environment, Environmental Consequences, and Mitigation Measures | Hermosa should these alternatives be built: CC, CC-ALPV, or A7-ALPV. Ave. Vista Hermosa is a quiet road with a 4-lane limitation due to its hillside route. Moreover, the additional 1000 homes scheduled to be built in Talega will not allow for the overflow traffic which will result from the CC, CC-ALPV, or A7-ALPV projects. |
| REITLER JED | 6103 CITY LIGHTS DRIVE ALISO VIEJO CA 92656 | Project Alternatives | FEC-M FEC-W A7C-FEC-M |
| REITLER JED | 6103 CITY LIGHTS DRIVE ALISO VIEJO CA 92656 | Traffic and Circulation | Undue traffic stress will befall Ave. Vista Hermosa should these alternatives be built: CC, CC-ALPV, or A7-ALPV. Ave. Vista Hermosa is a quiet road with a 4-lane limitation due to its hillside route. Moreover, the additional 1000 homes scheduled to be built in Talega will not allow for the overflow traffic which will result from the CC, CC-ALPV, or A7-ALPV projects. |
| REITLER JED | 6103 CITY LIGHTS DRIVE ALISO VIEJO CA 92656 | General Comment | Please discontinue consideration of the CC, CC-ALPV, and A7-ALPV projects due to unwieldy traffic levels which will inevitably entangle Ave. Vista Hermosa. |
| KREY PAUL | 32791 MATTHEW DRIVE DANA POINT CA 92629 | Project Alternatives | As a local resident and businessman I believe the Far East Corridor route is the most beneficial since it channels current and future traffic away from the Dana Point and San Clemente. On any Saturday you can see the line of cars bumper to bumper from the 73 interchange with the I-5 to San Clemente. The additional traffic load from the 241 in to the el camino area would add to a already congested section of the freeway. Also you should consider an additional connection between I-5 with the 241 as a future requirement so that traffic has two alternates for south bound San Deigo traffic. |
| KREY PAUL | 32791 MATTHEW DRIVE DANA POINT CA 92629 | Traffic and Circulation | As a local resident and businessman I believe the Far East Corridor route is the most beneficial since it channels current and future traffic away from the Dana Point and San Clemente. On any Saturday you can see the line of cars bumper to bumper from the 73 interchange with the I-5 to San Clemente. The additional traffic load from the 241 in to the el camino area would add to a already congested section of the freeway. Also you should consider an additional connection between I-5 with the 241 as a future requirement so that traffic has two alternates for south bound San Deigo traffic. |
| KREY PAUL | 32791 MATTHEW DRIVE DANA POINT CA 92629 | General Comment | Understanding that you have money issues with the toll road you should consider a test program of reducing the cost to increase ridership on the toll roads to channel traffic in another direction. Also like other member type programs you provide a reward for those members who continuously use that toll road. It might surprise you regarding the increased traffic from such an incentive type program. |
| SHOPMYER KAREN | 28544 SORANO CV PORTOLA HILLS CA 92679 | General Comment | I think this is a great idea and I cannot wait for this to be finished. I travel between OC and SD often and would rather use the toll road to cut off the traffic. It would be even better if you could get something all the way down to San Diego that would help us avoid the Carlsbad and Delmar traffic. I would definitely use it! |
| JIM | CA | General Comment | all for the lesser traffic, but the environment should come first. If its going to effect wildlife or endanger any protected species then we should reframe from building the road. |

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| RICHARDSON CHRIS | 29137 SUNSWPT DR. LAKE ELSINORE CA 92530 | Project Alternatives | Why not add a road connecting the 241 and Hwy 74? Or the 241 and the 15 freeway? There is a huge need to save many drivers time as we commute from Lake Elsinore to Orange County. | W-22 |
| RICHARDSON CHRIS | 29137 SUNSWPT DR. LAKE ELSINORE CA 92530 | General Comment | If there is anything that you can do to benefit those coming from then Lake Elsinore/Corona area, that would be great. It looks like the alternative of the Far East Corridor comes the closest to that type of benefit - the closest one to connect with Ortega Hwy/74. | W-23 |
| LEWIS TOM | 238 CALLE CAMPELINO SAN CLEMENTE CA 92672 | General Comment | I travel the toll quite often and I'm looking forward to the using the proposed Central Corridor(CC)and the Far East Corridor. I have been on the 5 more time then I want to say where it took me two hours or more to get home from San Juan Capastrono. I would like to know when do we expect to see the toll road completed all the way through San Clemente. You have my vote, I'm looking forward to it. Tom Lewis | |
| LUM LAURA | 1221 N. ALLWOOD CIRCLE ANAHEIM CA 92807 | Project Alternatives | We would like the project to follow the central coridor route in yellow. | |
| SCOTT CONNIE | 28081 PASEO VERDE SJC CA 92675 | General Comiment | A recent mailing asked us to let you know if we would use the extension of the 241 Toll Road. Yes, our family would use this extension. We also hope it would help alleviate some of the traffic currently on Ortega Highway. | |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Project Alternatives | WE hope that you will make the Camp Pendleton alternative, to entrance to 5 fwy as the one that is chosen. Pico/Hermosa is not an alternative, and we do not want anymore traffic/polution, etc. on these roads. Our life quality is slowly being removed. | |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Public Services and Utilities | Only Camp Pendleton access to we accept, and hope as an alternative. | |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | General Comment | To whom it may concern; Our neighborhood, including residences throughout the Marblehead area are STRONGLY AGAINST, any proposed south connection along Pico/Vista Hermosa It will vastly impact our way of life, health, quality of life, unbearable noise. WE hope and support the area down by Camp Pendleton, as an access to 5 fwy area, ONLY!!! YOur help and appreciation of our concerns, is very much appreciated. | |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Military Uses and Camp Pendleton | Yes, Yes, please use this area as an egress/ingress. We support this. | |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Cumulative Impacts | Only Camp Pendleton, please, others will impact communities,people, health, traffic problems, noise, polution. | |

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| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Traffic and Circulation | Traffice and circulation through the Camp Pendleton area, not hermosa/pico |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Air Quality | Our air quality will be even poorer under your threat to provide conection along Pico/Hermosa to 5 fwy. Please use the Camp Pendleton area. |
| KUHN ROBERT | 2430 CALLE AQUAMARINA SAN CLEMENTE CA 92673 | Noise | Impact will be unbearable for all of the homeowners along Hermosa/Pico. Please do not do this to us!!! |
| KINNISON PAULA | 11 DEER RUN DOVE CANYON CA 92679 | Affected Environment, Environmental Consequences, and Mitigation Measures | I think that a route should be chosen that does not go through the O'Neill Land Conservancy or San Onofre State Park. However, I don't think that the toll road should end without connecting to I-5. I think that the best route shown is Central Corridor - Yellow. |
| KINNISON PAULA | 11 DEER RUN DOVE CANYON CA 92679 | Traffic and Circulation | I think that the Foothill-South will need to be built to relieve congestion along I-5 and local city roads in Rancho Santa Margarita, Mission Viejo, San Clemente and San Juan Capistrano. |
| YOUNG RICHARD | SAN CLEMENTE CA 92673 | General Comment | <p>The alternatives involving connecting the Foothills South toll road to the I-5 Via Avenida Pico or Avenida Vista Hermosa is a totally flawed concept.</p> <p>The visual blight and economic loss for the residents and commercial areas would be devastating.</p> <p>The only logical location for the Foothill South extension is in back of Talega where land development has not taken place.</p> <p>Regards,</p> <p>Richard W Young and Angela V Young 2129 Via Teca San Clemente Ca youngsca@cox.net</p> |
| | CA | Traffic and Circulation | Based upon the limited area of environmental disturbance caused by the toll road when reviewed as a minimal acreage required compared to the acreage of the remaining open space, the need to provide the necessary transportation access for jobs and the economy, the need for the extension is overwhelming. |
| MONTES ROSE | 7 HARTFORD COURT COTO CA 92679 | Project Alternatives | I would like to endorse the NO ACTION alternative at this time. |
| MONTES ROSE | 7 HARTFORD COURT COTO CA 92679 | Other Section of EIS/SEIR | The toll roads intended path appears to be right on top of Tesoro High School. Where is the impact studies on how this will affect thousands of students and their education, etc. etc. |
| FEDLER HEIDI | 42198 KIMBERLY | Project | What we really need is a road that connects Murrieta/Temecula area to South |

W-24

W-25

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| WAY MURRIETA CA 92562 | Alternatives | Orange County. An alternative to the Ortega Highway. With the large amount of commuters moving to this area of Riverside county who commute into Orange County to work every day via either the Ortega Hwy. or the 91 freeway, a straight route toll road that would connect up to 5 would alleviate so much traffic from the 91 freeway as well as allow a safer drive for those Ortega Hwy. commuters as well as generate alot of revenue for the toll roads. |
| OLSON JAMIE 19272 SYCAMORE GLEN TRABUCO CANYON CA 92679 | General Comment | I drive to Carlsbad often and would welcome an extension of the 241 toll road as far as you can take it. I would like to see it exit onto the 5 freeway, similar to the 73. |
| KULIEV PAUL 27631 CORNICHE MISSION VIEJO CA 92692 | General Comment | Let's be environmentally responsible but let's get this thing built. The traffic is getting bad. Even Saturdays and Sundays are heavy. |
| STROHSAHL LYNN 539 AVE. DEL VERDOR SAN CLEMENTE CA 92672 | Project Alternatives | violet |
| STROHSAHL LYNN 539 AVE. DEL VERDOR SAN CLEMENTE CA 92672 | General Comment | i support the 241 extension. prefer thefar east corridor- modified route(violet) |
| BEHR TED 619 AVENIDA ACAPULCO SAN CLEMENTE CA 92672 | Project Alternatives | I support the Far East Corridor extension of SR 241. |
| REIBER JANICE 10300 WARNER AVE., #E-215 FOUNTAIN VALLEY CA 92708 | General Comment | My name is Janice Reiber and I am a long time resident of Orange County. I visit a family member in the San Diego area frequently and something must be done about the traffic congestion now and the projected growth in traffic congestion. I want to see one of the three easterly alignments built that tie into the 241 so that we have a regional transportation alternative to I-5. |
| LINGLE ROBERT 210 SOUTH JUANITA AVE, UNIT C REDONDO BEACH CA 90277 | Project Alternatives | <p>I would like to comment on the Foothill South extension project alternatives. After reviewing the Draft EIS/SEIR; I strongly suggest ultimately selecting the "Far East Corridor - Modified (FEC-M)" route. This seems to be the least invasive for all parties concerned and the most sensible, given the overall magnitude of the anticipated construction, a full bypass of the typical San Juan Capistrano traffic/congestion (which several of the other routes/alternatives, if constructed, would only add to) and the location at which it finally intersects with the I-5 (the highest benefit due to most the southerly intersection location).</p> <p>In light of the continued development, and resulting increase in population in the South County region I beleive that this is the ideal soultion, given projections alternatives presented.</p> <p>In any event, I fully support completion of the Toll Road Network and strongly recommend that, at a minimum, one of these alternatives be selected and approved for construction, as soon as th</p> <p>e approval process permits (In otehr words...Immedately).</p> |
| MCKENZIE PATRICIA 482 PLAZA ESTIVAL SAN CLEMENTE | Project Alternatives | I have looked over the alternatives to the tollroad and the same words keeps coming back to me. San Onofre! We need an alternative route out of the area in case of emergency. Widening I-5 keeps us with only one exit out. We live in |

CA 92672

uncertain times, and the possibility of accident or terrorism is all too real. We need to act responsibly and safeguard first the needs of the human population. This is an opportunity to rectify a potentially hazardous situation. We have to date been lucky enough to skate by, now is the time. The tollroad may have it's problems, but they cannot outweigh the 'one route out' problem and it's potential for tragedy.

HIKAWA BRIAN
2125 CAMINO
LAUREL
SAN CLEMENTE
CA 92673

General Comment Dear Ms Cleary-Milan,

I would like to add my comments regarding the 241 South extension considerations.

I am a resident of Marblehead and am 'OPPOSED' to the 3 options: Central Corridor (CC), Central Corridor Ave La Pata Var (CC-ALPV), and Align 7/Ave La Pata Var (A7C/ALPV).

There are many obvious reasons that these options are not in the best interest of anyone, let alone the users of the Toll Road. These options impact the lives of too many residents as well. The congestion, noise, and relocation of homeowners are just some main reasons to oppose these options. Flowing freeway traffic into local streets will not be very convenient to Toll road users either. If these were the only options to connect a freeway then so be it. But, having the option of the Far East Corr-Mod(FEC-M), it just doesn't seem to make sense.

The point of these roads is to enhance the quality of life of residents in South Orange County. The 3 options above, don't seem to consider that simple point.

I would also like

to add that whatever extension is chosen that the construction will consider the filtering of rain runoff so we can minimize the pollution entering our great surfing areas.

Thank You,

Brian Hikawa

SVITENKO
LAURIE
24 VIA BELLEZA
SAN CLEMENTE
CA 92673

General Comment We are adamantly opposed to the extension of Foothill-South through San Clemente and particularly the routes going through the Donna O'Neill Land Conservancy. Widen La Pata and I-5. Don't destroy the conservancy when other viable alternatives exist.

SIGRIST JERRY
144 CALLE DE
LOS MOLINOS
SAN CLEMENTE
CA 92672

Cumulative
Impacts

I am opposed to the proposed toll Road alignments of the central corridor, central corridor Ave. La Pata alignment 7/Ave. la Pata variation.

TERKOSKI DAVID
109 LA SALLE
SAN CLEMENTE
CA 92672

General Comment Please be advised that we are strongly opposed to the proposed toll road alignments of the central corridor (CC), Central corridor Avenida La Pata Variation (CC-ALPV) and the alignment 7/Avenida La Pata Variation (A7C/ALPV). They will significantly and negatively impact my lifestyle, property value and result in relocation of hundreds of homes and businesses.

SHUBIN DONALD
15031 PARKWAY
LOOP
TUSTIN CA
92780

General Comment It is an exciting opportunity we have in the county to site a freeway in south county. If we don't do it now we lose. I am in favor of the Far East or Far East Modified proposals. Thank you

FOTO JAMES
TRABUCO
CANYON CA
92679

Traffic and
Circulation

When you talked about the congestion on the I-5 being eased and the 241 being an alternate route for trucks going from OC to SD. Come on do you really think Truckers as a whole will pay the kind of money you charge? you should see about conducting a study to see how many trucks coming from the 405 bypass the 78 and continue to SD county via the I-5, and visa versa. why do

W-26

they do that? cause it's free!! This whole toll road thing stinks, We all know it's going to happen sooner or later, and if the planners planned things properly in the past we would not be in this mess. So learn from the mistakes of man from the past and...never mind you are not even reading this. good luck.

**Project
Alternatives**

Please choose an alternative that goes all the way through to the 5 freeway. If not, then the small gain you realize in the extension just is not worth the cost.

Out of the alternatives that go through to the 5, please choose one of the Far East ones that join the 5 South of San Clemente. This will result in less traffic flowing through San Clemente which is advantageous to both the residents of San Clemente as well as the Northbound and Southbound drivers who can take the toll road without encountering San Clemente traffic.

The Central Corridor Alternative has no benefit to the San Clemente traffic problem as it adds Southbound cars to the Southbound 5 freeway at the North end of San Clemente and makes the 5 Northbound toll road traffic flow through San Clemente before being able to exit onto the toll road. And that is the point where traffic eases (the car pool lane starts) and many drivers in Ladera and Coto may not think paying the toll is worth it and would rather just exit at Ortega and take

it to Antonio.

Picking a Far East Alternative is more cost effective for Ladera and Coto drivers and will result in more usage and revenue for the toll roads than any of the other options.

**Traffic and
Circulation**

Help ease the congestion on the 5 in San Clemente by picking a Far East alternative. Any of the others would just be a waste of time, money and effort as there really would be no benefit, or the benefit would be for a very small number of people, and not be a good business decision in terms of revenue and market served.

General Comment

The sooner the better on completing this project.

Any of the Far East Alternatives is best for everyone.

WEST JILL

2103 AVE
ESPADA
SAN CLEMENTE
CA 72673

General Comment

I wish to submit my opposition to the connecting

link for the 5 freeway where it will terminate the

Foothill Toll Road in San Clemente and cause traffic to be directed down Avenida Pico (the already very busy San Clemente High School street) or Avenida Vista Hermosa which is the outlet for the burgeoning backcountry developments. This would have a serious impact on the air quality and noise levels as well as causing ADDED congestion to the current traffic in a residential neighborhood. It would also cut through the city in a way that would affect quality of life and create a dramatic decline in visual aesthetics.

Jill West

HOWE CATHY

29911 ALTISIMA
RANCHO SANTA
MARGARITA CA
92688

General Comment

I want the 241 tollroad extension to the South, I am all for it. I think it will be great, can't wait for it to happen.

Cathy Howe

HOWE SCOTT

29911 ALTISIMA
RANCHO SANTA
MARGARITA CA
92688

General Comment

DO IT!!! I'm all for it.

Scott Howe

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| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Land Use | A7 Far east crossover, Far East (West) and the Far East Modified, land use is consistent with the Highest and best use. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Project Alternatives | A7 Far east crossover, Far East (West) and the Far East Modified are far less destructive to the City and residents of San Clemente. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | General Comment | I'm opposed to any routing of the the South that bisects San Clemenete. San Clemente was split by the I5 in the late 50s early 60s and still feel the impact of this tragedy today. To allow this project to split the city again would be criminal. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Cumulative Impacts | A7 Far east crossover, Far East (West) and the Far East Modified create the greatest benifit to southern california by aleaving the gridlock on the I5 from Cristianitos north. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Affected Environment, Environmental Consequences, and Mitigation Measures | Midigation should be acomplished by restoring local watersheds and other echosystems. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Traffic and Circulation | Circulation is better served by creating an alternative hiway along the A7 Far east crossover, Far East (West) and the Far East Modified coridors. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Air Quality | A7 Far east crossover, Far East (West) and the Far East Modified plans should minimize damage to the local air quality. |
| BACKSTRAND CHRIS | 178 AVENIDA DE LA PAZ SAN CLEMENTE CA 92672 | Noise | Noise to the residents of San Clemente would be less invasive by using A7 Far east crossover, Far East (West) and the Far East Modified plans. |
| CHOI RON | 57 RADIANCE LANE LAS FLORES CA 92688 | Project Alternatives | <p>I recommend adopting a Central Corridor (CC) - yellow option as an EIS/SEIR Project Alternatives. The extention of 241 must be connected to I5 in the shortest distance.</p> <p>The alternative must have an interchange location in Talega.</p> |
| HOLST MARILYN | 622 CANTARA LANE VISTA CA 92081 | General Comment | As a commuter from San Diego Co. working next to the tollroad I would find that not only would it save time it would cut my commute by several miles. I feel that since it would save on gas, it would also help cut down on polution of the environment, since vehicles could operate more efficiently by not having to accelerate and decelerate constantly. To help curb growth there should be very few off ramps. when it is inconvient to enter or exit from a road there is little incentive to urbanize an area. An example of how growth can be stopped or slowed look at the freeway that connects Pasadena, Ca. with Glendale Ca. through Eagle Rock. The residents and businesses fought the freeway and the |

State determined that since they fought there would be no off or on ramps in Eagle Rock. You will find very little housing construction has occurred beside this stretch of the freeway and the business district is still struggling after 40 years.

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| REILLY ERIN | 12 GLOXINIA LADERA RANCH CA 92694 | Project Alternatives | <p>I believe it is a waste to anything other than complete what was begun in some form. In other words abandoning the toll road and just widening the 5 or other roads, are not effective or wise alternatives in my opinion. As for which "complete" (reaches/bypasses the 5) alternative route I would use most - the CENTRAL CORRIDOR - though I would prefer it connect further south on the 5 rather than veering sharply west at Camino Real. Following this line of thought, the 2nd best alternative would be the ALIGNMENT 7 Far East Crossover. If the Avenida La Plata variations are meant to be later extended those would work as well.</p> <p>Thanks for "listening" ;)</p> |
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| PAUTSCH JOHN R | SAN CLEMENTE CA 92674 | General Comment | <p>I would like to see one of the three eastern most proposed routes selected as the final alternative. Other routes moving through the City of San Clemente would heavily and negatively impact existing roadways in San Clemente.</p> |
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| SCHWARTZ DARCEY | 33 AVENIDA MERIDA SAN CLEMENTE CA 92658 | General Comment | <p>I am a resident of the Villa Pacifica community, which is threatened by The Central Corridor Alternative (yellow). I want to make my opinion heard - I stand against the central corridor alternative. Not only does it displace 593 homes, second only to the I-5 widening alternative, but it impacts the most wetland habitat of all the alternatives. Additionally, it is the second most expensive alternative, again, second only to the I-5 widening. All alternatives have environmental impacts, so in my opinion the ideal options are those that minimize cost and displacement of families. I urge the Transportation Corridor Agencies to select from the Eastern corridor options (green, lavender, or purple).</p> <p>As a resident of Villa Pacifica, I can't imagine how the TCA could effectively compensate the 593 homeowners that would be forced to give up their residences and face financial uncertainty under the yellow plan. I can't imagine how the TCA could explain to the 593 households that were shattered by the yellow plan</p> <p>Why the 200 or so acres of coastal sage scrub saved by this plan were more important than their economic investment and livelihood.</p> <p>Please hear our community's voice - reject the Central Corridor alternative!</p> |
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| KARMA GEORGE | 2113 VIA AGUILA SAN CLEMENTE CA 92673 | Other Section of EIS/SEIR | <p>We oppose the toll road alignments of the corridor it will affect our life and it will decrease the value of our property</p> |
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| OCHI S. | 2530 CALLE JADE SAN CLEMENTE CA 92673 | Project Alternatives | <p>I just learned that one of the alternatives for the toll road alternatives, labeled "Central Corridor Complete (CC)" will result in an increase in noise and volume of traffic just outside of our home road. I respectfully submit that other choices would have a lesser impact on the people of my community and request that this particular choice be abandoned.</p> |
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| Other Section of EIS/SEIR | burials |
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| Hazardous Materials and Hazardous Waste Sites | |
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will destroy plants and wildlife

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| Historic and Archeological Resources | will destroy a cemetery |
| Coastal Zone | Save Coastal zones |
| Coastal Barriers | do not destroy Coastal Barriers |
| Socioeconomics and Environmental Justice | saving our Sacred sites |
| Wild and Scenic Rivers | Will distroy habitat |
| Threatened and Endangered Species | Water waste will endanger wild life |
| Wildlife, Fisheries, and Vegetation | pollution of Rivers |
| Wetlands and Waters of the US | save the wet lands |
| Paleontological Resources | don't disturb |
| Mineral Resources | |
| Earth Resources | pollution will contaminate |
| Growth Inducing Impacts | destroying Native Plants |
| Cumulative Impacts | invernonmental impact |
| Affected Environment, Environmental Consequences, and Mitigation Measures | Destroying wildlife,plants and poluting aeas |
| Cumulative Impacts | Scott and Angela Attenborough 2137 Via Aguila San Clemente, CA 92673 |

CA

Home: (949) 369 - 1456

Re: Proposed Toll Road Alignments of the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), Alignment 7/Avenida La Pata Variation (A7C/ALPV)

To whom it may concern:

DO NOT PUT THIS IN OUR COMMUNITY!!

These proposed alignments will have or create:

- A Significant Negative Impact on my Life Style
- Declining Property Values
- Relocation of thousands of my neighbors
- Relocation or loss of Hundreds of Local Businesses
- Visual Blight
- Put San Clemente High School in Jeopardy

DO NOT PUT THIS IN OUR COMMUNITY!!

Scott and Angela Attenborough

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Project
Alternatives

The Pico/Ave Hermosa connection options to the 5 are unrealistic. Traffic on the 5 at Hermosa on-ramp is already backed up every day. Pico has the only area High School, that alone should remove it from consideration

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Growth Inducing
Impacts

The growth is already planned based on the tollroad being built. My concern is that those of us already living here will be negatively impacted and displaced in order for to impliment these plans. It is very poor business!

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Visual Resources

Many of us chose to live here years ago based on the ocean views. The tollroad will negatively impact the property values of our homes

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Cumulative
Impacts

The Pico and Hermosa alternatives will very negatively impact our quality of life, our property values, the only High School in the area. I know the tollroad is coming, but at least implement it in a way tha does not negatively impact those of us living here already

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

Removing homes and businesses that already exist in order to provide easier access to housing developments that are planned is very poor judgment. Visual blight will negatively impact our property values and lifestyles

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Traffic and
Circulation

Hermosa and Pico both carry enormous amounts of speeding traffic. Any more will further congest our surface streets destroying our ability to move around in our own neighborhoods.

BROWN MARION 22415 CAMINO BUCANERO
SAN CLEMENTE
CA 92673

Noise

The noise from the 5 in the Marblehead area is already constant the addition of the tollroad will further increase traffic noise.

BROWN MARION 22415 CAMINO Socioeconomics

Removing businesses already existing is extremely unsound. Removing homes

BUCANERO and Environmental when there are other options is extremely unsound
 SAN CLEMENTE Justice
 CA 92673

MORGAN DIANA 31202 AVENIDA Project
 TERRAMAR Alternatives
 SAN JUAN
 CAPISTRANO CA
 92675

The Central Corridor would get the most use by my family.

ANDERSON 42800 AVENIDA Project
 JAMES ESCALA Alternatives
 MURRIETA CA
 92562

I think that the toll roads throughout Orange County have had a tremendous positive impact on the quality of life, the reduction in congestion and the opportunity for further economic growth for the area. I am a big supporter of the extension of the 241 tollroad to the 5 freeway. My vote would be to pursue the far east corridor-Modified as I believe that would also help those folks that use Ortega Highway on a regular basis. I would also like to have considered an additional toll road put on the north or south end of Saddleback mountain to run through to the 15 freeway. This would further open up Southern California and put in place a solid foundation for continued growth and quality of life. Thanks for allowing me this forum to submit my comments.

KROMKA 24622 HARBOR General Comment
 BARBARA VIEW DR #A
 DANA POINT CA
 92629

NO ON Pico 241. No on project overall.

JOHNSON 5791 HIGHLAND Project
 DARROL YORBA LINDA Alternatives
 CA 92886

As a resident of Yorba Linda who has family in northern San Diego County, I would very much like to see the 241 Toll Road completed as it would save me a substantial amount of time in traveling during the weekends or rush hours. In studying your EIR, I feel that the Green, Purple, or Lavendar alignments make the most sense since they don't take out any homes or businesses. The sooner the road is completed, the better!

JOHNSON 5791 HIGHLAND Project
 STEPHANIE YORBA LINDA Alternatives
 CA 92886

I live in Yorba Linda and often commute to see family in south Orange County and north San Diego County. Driving on the freeways makes me uncomfortable as there is always so much traffic. It seems to me that the 241 Toll Road, if completed, would alleviate much of the traffic concerns in our county. Please build either the Purple, Green, or Lavendar as they do not take homes or businesses, and appear to be a perfect route to connect to the 5 Freeway in San Clemente.

CAMPBELL 28 ACORN Project
 BRUCE RIDGE Alternatives
 RSM CA 92688

I would be in favor of the Far East Corridor - West (FEC-W) alternative.

CAMPBELL 28 ACORN General Comment
 BRUCE RIDGE
 RSM CA 92688

I would like to state I would be in favor of the toll road extension.

HARDEN 2152 CAMINO Noise
 MICHAEL LAUREL
 SAN CLEMENTE
 CA 92673

Your Foothill South Project will create unnecessary and unwanted noise in my neighborhood.

HARDEN 2152 CAMINO Traffic and
 MICHAEL LAUREL Circulation
 SAN CLEMENTE
 CA 92673

Your Foothill South Project will create severe traffic in my neighborhood.

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| HARDEN MICHAEL | 2152 CAMINO LAUREL SAN CLEMENTE CA 92673 | General Comment | I am AGAINST the Foothill South projects (Foothill Toll Road and superstructure connecting link to the 5 Freeway built along Ave Pico). This project will result in traffic being directed down Ave Pico or Ave Vista Hermosa to connect with the 5 freeway. This will have a severe negative impact on my home value because it will result in severe traffic, noise and will be sore on the eyes. I cannot believe that you can even contemplate building more roads in our area - we don't need them and we don't want them. Please stop your expansion efforts in the beautiful area of San Clemente. |
| WILKIN COURTNEY | 22751 EL PRADO #10307 RANCHO SANTA MARGARITA CA 92688 | Project Alternatives | I think an extension of the 241 to I-5 would be such a great convenience. Can't wait to drive it! |
| MARASCO CAROLYN | 22192 NEWBRIDGE LAKE FOREST CA 92630 | Project Alternatives | Ending the extension at Pico or before seems like it would be making a disaster out of an already crowded surface streets. I think the alternatives that go all the way to San Onofre is the best of the alternative routes. |
| MARASCO CAROLYN | 22192 NEWBRIDGE LAKE FOREST CA 92630 | General Comment | I am a Toll Road user. I use it mostly to get from Orange County to Riverside and use the 241. I would use it to go south more if it went farther. Taking it now is like taking into a dead end right now. I travel to San Clemente twice a week and would find the extension of the Foothill branch to be very useful. If the 5 is crowded there is nothing much you can do about going an alternate route. Right now there are just not many options. |
| COSTA CHARLES | 2629 CALLE ONICE SAN CLEMENTE CA 92673 | General Comment | As a long time resident of South Orange County, a Toll Road user and voting-tax payer I want to express my opposition to any of the alternate routes proposed that impacts traffic, increases noise or (and) pollution to either Pico or Hermosa Ave. in San Clemente. The optimum route has always been and still is those easterly routes north of Talega and San Onofre State Park. The impact on established neighborhoods, businesses and quality of live would be minimized. While I recognize that the environment needs to be protected. I am sure that its effects can be minimized with proper design and construction policies. I am much more concerned about the negative impact on the families and businesses of San Clemente. Regards, Charles Costa |
| KRONGAARD DAN | 2701 CORTE AMATISTA SAN CLEMENTE CA 92673 | Project Alternatives | As a 16 year resident of San Clemente I strongly oppose the proposed toll road alignments referred to as the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), and Alignment 7/Avenida La Pata Variation. (A7C/ALPV). These would have a dramatic negative impact on business, traffic, property values and noise while requiring the relocation of many homes and businesses. I beleive these to be the absolutely worst possible choices that could be made and would devastate San Clemente. |
| KRONGAARD DAN | 2701 CORTE AMATISTA SAN CLEMENTE CA 92673 | Project Alternatives | As a 16 year resident of San clemente I strongly oppose the proposed toll road alignments referred to as the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), and Alignment 7/Avenida La Pata Variation. (A7C/ALPV). These would have a dramatic negative impact on business, traffic, property values and noise while requiring the relocation of many homes and businesses. I beleive these to be the absolutely worst possible choices that could be made and would devastate San Clemente. |
| BLOYER DONALD | 2249 CALLE OPALO SAN CLEMENTE | Project Alternatives | We are strongly opposed to the central corridor alignments of the 241 tollroad extension which would bring more traffic into central San Clemente. Vista Hermosa and Pico traffic already create excessive noise, air pollution, and |

CA 92673

safety concerns for our neighborhood in the Marblehead area of San Clemente. I5 thru San Clemente is already dangerous enough with its hills, curves, and close proximity of many exits, and the situation will only get worse when the Marblehead Coastal shops, restaurants, and theaters open in a couple of years! Additionally, both Vista Hermosa and Pico have schools creating additional hazards with young children, and beginning drivers! We feel the far east alignments of 241 would best minimize these concerns, prevent further degradation of the quality of our neighborhoods, and satisfy the traffic flow objectives of the 241 toll road extension.

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| TRIVINO LIBRADO | 2705 CORTE AMATISTA SAN CLEMENTE CA 92673 | Other Section of EIS/SEIR | Routing the 241 toll road extension would mean lots of families losing their homes and also the businesses round the area. Please route the toll road someplace else where lives would not be devastated. |
| TRIVINO LIBRADO | 2705 CORTE AMATISTA SAN CLEMENTE CA 92673 | General Comment | My family and I are opposing the planned 241 toll road extension that could be routed along Avenida Pico. We have moved in this area to avoid congestion, pollution, and have some quality of life paying top dollars for our property to be able to enjoy all this. Please do not let it all go down to waste. I am sure many, if not all of my neighbors feel the same way. |
| | CA | Other Section of EIS/SEIR | I am hereby voicing my opposition to the building of the superstructure link at Avenida Pico AND Avenida Vista Hermosa to connect with the 5 Freeway. As a homeowner on Frontera and Vista Hermosa I am very concerned regarding the future of homes and businesses already established along this route. Please reconsider your selection of either of these two venues and honor the neighborhoods that would be affected should this be the chosen option. Respectfully, Mrs. Angela Martin |
| PETERSON LYLE | CA | General Comment | Please complete the southbound 241 as soon as possible. |
| PHILLIPS KEVIN | 2123 CAMINO LAUREL SAN CLEMENTE CA 92673 | Cumulative Impacts | Noise - Noise pollution / childrens hearing. Property values. Childrens health and Safety. Childrens education settings. Visual impact. |
| PHILLIPS KEVIN | 2123 CAMINO LAUREL SAN CLEMENTE CA 92673 | Project Alternatives | Far East options are the only ones that should be considered. |
| PHILLIPS KEVIN | 2123 CAMINO LAUREL SAN CLEMENTE CA 92673 | General Comment | If any alternative other than Far East options (2) or Alignment 7 are chosen, there will be severe and unnecessary impact to thousands of homes and residents, including property values, neighborhood safety, noise impact (childrens hearing) and relocations. East alternatives do not severely impact existing neighborhoods and lifestyles. I moved to a quiet family neighborhood that was safe and secure. Running a freeway through existing neighborhoods would be criminal. |
| NICHOLS CJ | 2429 CAMINO BUCANERO SAN CLEMENTE CA 94565 | Project Alternatives | The path that will completely skirt San Clemente and will be south towards Camp Pendleton is the best route with the least impact on homes, schools, businesses in San Clemente. |
| NICHOLS CJ | 2429 CAMINO BUCANERO SAN CLEMENTE CA 94565 | General Comment | Approving the Avenida Pico path for the Foothill South Corridor will destroy a whole community that is vital to the economic stability of San Clemente. This is an incredible governmental indifference to the needs and well being of a whole community. Destroying a while community to put in a toll road is criminal. The |

current failures of toll roads in Orange County only compounds this crime.

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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | General Comment | The Toll Roads are not profitable and to think by extending them that they will be profitable is putting the cart before the horse. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Earth Resources | Let's make a decision from our future not our pocket book. well that is not a factor based on the revenues of the existing Toll Roads. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Cumulative Impacts | See all the above. Vote NO on the extension of the Toll Roads. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Coastal Zone | What comes down the river ends up on her banks and inher muth, the ocean. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Wild and Scenic Rivers | The San Mateo Creek is one of the virgin creeks left in Orange County. Let it be. San Mateo needs to be preserved, if for nothing else, to have one creek un scathed by man and development |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Threatened and Endangered Species | See 4.11 above. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Wildlife, Fisheries, and Vegetation | Recently, the Steelhead has been found in the San Mateo Creek. Let the fish and wild life be. Don't mess with the remaining wild life here in Orange County! |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Wetlands and Waters of the US | We need the wetlands to be protected. Protected from a distance, like they are now. Do not Encroach. Encroachment is not good, it means that there is a take over coming. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Water Quality | The water quality while getting better, still stinks. I remember sitting on my surfboard and seeing the sea life beneath me al the way to the bottom. today I am lucky to see my feet hanging off my surf board. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA | Floodplains, Waterways, and | We have problems with floods in the areas where we have "developed" the water ways. Where the water ways are not developed, there are fewer flood |
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| | SAN JUAN CAPISTRANO CA 92675 | Hydrologic Systems | problems.. Think about it, Is man smarter than Nature? |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Air Quality | Just go to another state, like Minnesota. The air is so clean it makes me wonder why I am returning to Southern California. |
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| FALK HOLLISTER KENT | 31121 VIA SONORA SAN JUAN CAPISTRANO CA 92675 | Socioeconomics and Environmental Justice | The water has been more contaminated than ever before. I began surfing in 1966. This was a time when star fish were in the way when walking on the rocks. Albalone were so numerous we did not think that eating them was a big deal. Today I dare you to find a star fish or an abalone, not to mention a sand dollar. Do our kids today even know what a sand dollar is? |
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| WHITNEY MARC | 2626 CALLE ONICE SAN CLEMENTE CA 92673 | Noise | To ensure city noise issues are not introduced, the far east corridor options are best. All other options deny anything but an increase in unacceptable noise levels for San Clemente. |
| <hr/> | | | |
| MORAN MARK | 406 EL VUELO SAN CLEMENTE CA 92672 | Project Alternatives | Your proposed toll road over the San Clemente high school is absurd. The relocation of so many homes, the negative health effects from increased smog and noise pollution all seem to be guaranteed law suits pending. I support the Far East Modified toll road ONLY! I am a property owner in San Clemente. I reside in San Clemente. MM |
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| SCHAEFER DAVID | 30 CAMINO LIENZO SAN CLEMENTE CA 92673 | Land Use | See General Comments |
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| SCHAEFER DAVID | 30 CAMINO LIENZO SAN CLEMENTE CA 92673 | Project Alternatives | See General Comments |
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| SCHAEFER DAVID | 30 CAMINO LIENZO SAN CLEMENTE CA 92673 | General Comment | To Whom It May Concern, As a concerned taxpayer and resident in San Clemente, we are strongly opposed to toll road construction coming through the recently developed Talega subdivision and the brand new businesses along Pico. The Toll road folks claim they have the right of eminent domain ... this will not extend to tearing down brand new homes and businesses. Eminent domain is to remove blighted areas and to build new areas for the greater good of all. Hardly the situation regarding many of the Toll Road options!! It is clear much of the push to extend the 241 is coming from the Rancho Santa Margarita new home developers. If they can't show their prospective new home buyer's that they will be able to easily access the I-5, how will they be able to sell their new homes to make their millions \$\$ of profits?? It doesn't matter that people are already living in San Clemente ?! If the toll road was meant to be extended to the I-5, it should have been completed before Talega was built up. The time has |

long past for this to be an acceptable endeavor.

The only option that will truly relieve congestion on the I-5 is to widen the I-5. Dumping more people onto the already crowded I-5 via the proposed 241 extension clearly only ADDS to the problem! So if no funds are currently available to do this, we'll just have to wait until they are.

The 73 toll road is in deep financial troubles because it can't pay for itself. AND being parallel to the 405 hasn't seemed to make the commute on the 405 any easier, has it? Building another 73 (aka 241 extension) makes financial sense? Of course not!

The 241 is paying for itself presently, but look what it has done for the eastbound traffic on the 91 --- total gridlock as it dumps more people onto the 91. This situation is identical to what will be happening to the I-5 when we make it that much easier for people to dump onto the I-5 with no extra lanes available on the I-5 to handle the increased influx!

We have developers providing special interest funding

to make sure they can sell their new homes, make their profits, and leave. Give me a name of one of the big developers that live in the path of the proposed toll road extension.? We have the Sierra club trying to dictate certain routes ...even though they don't even live in the area and should have no say at all! If new roads have to be built, they have to be built far away from existing communities. If sacrifices have to come, they need to come from available open space, not existing taxpayer communities and businesses!

Our homeowner's priorities:

1. Widen the I-5
2. Do nothing
3. The far East Corridor - Modified (FEC-M)

Any other action will bring out the wrath of the homeowner's that you will not believe, and you will be tied up in court for years, at YOUR own expense, not the taxpayer's!!

Sincerely,

Dave and Cheryl Schaefer

San Clemente

SCHAEFER DAVID 30 CAMINO
LIENZO
SAN CLEMENTE
CA 92673

Growth Inducing
Impacts

See General Comments

SCHAEFER DAVID 30 CAMINO
LIENZO
SAN CLEMENTE
CA 92673

Cumulative
Impacts

See General Comments

SCHAEFER DAVID 30 CAMINO
LIENZO
SAN CLEMENTE
CA 92673

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

See General Comments

SCHAEFER DAVID 30 CAMINO
LIENZO
SAN CLEMENTE
CA 92673

Traffic and
Circulation

See General Comments

SCHAEFER DAVID 30 CAMINO
LIENZO
SAN CLEMENTE
CA 92673

Socioeconomics
and Environmental
Justice

See General Comments

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| | | General Comment | <p>I believe the Toll Road is needed to relieve congestion on the I-5 through San Clemente and other cities north of San Clemente, and to provide an alternate exit from San Clemente if needed because of earthquake or other disaster.</p> <p>I would object very strenuously to any route other than the one in which the Toll Road joins the I-5 south of San Clemente. The I-5 is already very often congested through San Clemente. It would not make any sense for the Toll Road to join the I-5 in it</p> |
| BARNES DON | 17803 SEVEN SPRINGS WAY RIVERSIDE CA 92504 | General Comment | <p>AS A RESIDENT OF RIVERSIDE COUNTY I HAVE SEEN FIRST HAND WHAT HAPPENS WHEN SOUND PLANING AND FORE THOUGHT ARE NOT USED TO HELP WITH FUTURE TRAFFIC NEEDS I AM VERY MUCH IN FAVOR OF ANOTHER ROUTE (FOOTHILL SOUTH)IN STEAD OF JUST THE I-5 AND AM NOT FOR PEOPLE LOSING THEIR HOMES OR BUSINEESES FOR AN ALTERNATIVE ROUTE</p> |
| BRADY JAMES | 529 VIA PRESA SAN CLEMENTE CA 92672 | Traffic and Circulation | <p>The traffic congestion on Pico Ave has already become a problem and this alternative will only add to it.</p> |
| FERRARI DEBBIE | 2924 CAMINO CAPISTRANO UNIT D SAN CLEMENTE CA 92672 | Project Alternatives | <p>NO! on the Pico alternative for the 241 extension. Please do everything you can to route through the Pendleton property. I know there are invironmental issues that will need to be addressed, but I feel that human issues should take priority over animal issues!</p> |
| HARBIN LINDA | 1736 FERNBROOK AVENUE UPLAND CA 91784 | Traffic and Circulation | <p>No to toll roads...</p> |
| ATTENBOROUGH ANGELA | 2137 VIA AGUILA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | <p>Scott and Angela Attenborough</p> <p>2137 Via Aguila San Clemente, CA 92673 Home: (949) 369 - 1456</p> <p>Re: Proposed Toll Road Alignments of the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), Alignment 7/Avedida La Pata Variation (A7C/ALPV)</p> <p>To whom it may concern:</p> <p>DO NOT PUT THIS IN OUR COMMUNITY!!</p> <p>These proposed alignments will have or create:</p> <ul style="list-style-type: none"> - A Significant Negative Impact on my Life Style - Declining Property Values - Relocation of thousands of my neighbors - Relocation or loss of Hundreds of Local Businesses - Visual Blight - Put San Clemente High School in Jeopardy <p>DO NOT PUT THIS IN OUR COMMUNITY!!</p> <p>Scott and Angela Attenborough</p> |

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| ATTENBOROUGH SCOTT | 2137 VIA AGUILA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | <p>Scott and Angela Attenborough</p> <p>2137 Via Aguila San Clemente, CA 92673 Home: (949) 369 - 1456</p> <p>Re: Proposed Toll Road Alignments of the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), Alignment 7/Avenida La Pata Variation (A7C/ALPV)</p> <p>To whom it may concern:</p> <p>DO NOT PUT THIS IN OUR COMMUNITY!!</p> <p>These proposed alignments will have or create:</p> <ul style="list-style-type: none"> - A Significant Negative Impact on my Life Style - Declining Property Values - Relocation of thousands of my neighbors - Relocation or loss of Hundreds of Local Businesses - Visual Blight - Put San Clemente High School in Jeopardy <p>DO NOT PUT THIS IN OUR COMMUNITY!!</p> <p>Scott and Angela Attenborough</p> |
| BROWN MARION | 2415 CAMINO BUCANERO SAN CLEMENTE CA 92673 | General Comment | <p>Any attachment of the tollroad to Hermosa or Pico would negatively impact both the elementary school located on Hermosa and the High School located on Pico and the safety of the children attending the schools.</p> |
| TUFTS STEPHANIE | 252 AVE LOBEIRO #2 SAN CLEMENTE CA 92672 | General Comment | <p>I beleive that the I-5 widening would be the best alternative, to accommodate growing population needs and to lesson environmental impact.</p> |
| ELLIS GEORGE | 158 RUPERTUS DR. SAN CLEMENTE CA 92672 | General Comment | <p>I would like to see a protected bike lane from the Basilone Rd. gate at the Marine Corps Base to the Old Hwy 101 bike lane gate incorporated into the plan. The scope of the EIS/EIR should cover this feature of constructing the toll road. The bike lane would be approx. 1/4-1/2 mile in length. It would be a "spur" from the already established Basilone Rd. crossing point that would protect walkers/riders transiting north from the crossing point, around the sweeping 90-degree curve at the on/off ramp, across the freeway bridge, and ending at the Basilone Rd. Gatehouse to Marine Corps Base Camp Pendleton. This protected path would facilitate safe transit of pedestrian and bike traffic for military and authorized personnel/family members to safely ride bikes or walk to and from school on base (from San Mateo Point Housing) or just simply for safe recreation (family rides into San Clemente or south for longer rides on the existing bike trail). The current situation is very unsafe and this would be a minor but valuable improvement for quality of life.</p> |
| SIEGEL ELAINE | 482 PLAZA ESTIVAL SAN CLEMENTE CA 92672 | General Comment | <p>After much thought and consideration of the various impacts, I have found that I am in favor of the toll road because we need an alternative route out of south county. I keep thinking about what we would do if there were an accident at San Onofre-we couldn't all get out on the 5 fwy. And we have been having accidents that have closed down the 5 fwy for as long as 7 hours recently. I don't feel that adding lanes to the 5 fwy would help at all in these situations, and it would be a temporary fix at best. I also don't like the idea of hundreds of people losing their homes or businesses through widening of the fwy. Just this past Sat, the 5 fwy southbound was at a standstill from Oso Pkwy to south San Clemente the entire day. We need an alternative, but one that won't cause people to lose their homes.</p> |

W-27

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| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Project Alternatives | Although the project alternatives appear well conceived, the Far East alternatives have the least negative impact on the quality of life for my family and my neighbors in Rancho San Clemente. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Growth Inducing Impacts | Because San Clemente is the southern most city in Orange County, bordered on the south by Camp Pendleton the growth in our community would be constrained no matter which alternative is selected. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Visual Resources | The Far East corridor alternative will provide the least visual pollution to the community of San Clemente and provide a welcome visual for travelers on the toll-road. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Cumulative Impacts | As with most Roadway Development projects social economic issues are never singular in their impact. The cumulative impacts of a (La Pata or Pico) corridor alternative will have a larger impact on the quality of life in our community than the Far East alternative. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Traffic and Circulation | Routing traffic through the center of development in San Clemente (La Pata and Pico routes) will have a significant and negative impact on the surface street traffic there. This traffic will bring a myriad of problems to the community of San Clemente. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Water Quality | "Best Management Practices" for surface run-off from the new corridor cannot be sent to the San Clemente Waste Water Treatment Plant. By using the latest passive Watershed Management practices the quality of water in the Far East Alternative run-off area could even improve. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Air Quality | We moved here for the quality of the air and weather. A major traffic corridor between the City of San Clemente and the sea will have a very negative impact on the quality of both. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Noise | I have lived in proximity to freeway noise in the San Gabriel Valley and along with increased traffic comes substantial noise pollution that never goes away. |
| MCGIVNEY WILLIAM | 223 VIA PRESA SAN CLEMENTE CA 92672 | Socioeconomics and Environmental Justice | By routing the corridor through the Pico & I-5 intersection the "Barrio" will be demolished and many latino members of our community will be displaced. |
| VICKERS C ONNIE | 2129 CAMINO LAUREL SAN CLEMENTE CA 92673 | General Comment | <p>I am opposed in the strongest possible terms to the Proposed Toll Road Alignments of the Central Corridor (CC), Central Corridor Avenida La Pata Variation (CC-ALPV), Alignment 7/Avenida La Pata Variation (A7C/AIPV). These proposed alignments will have or create:</p> <ol style="list-style-type: none"> 1. A significant negative impact on my life style 2. Decline in property values 3. Relocation of thousands of my neighbors 5. Relocation or loss of hundreds of local businesses 6. Cause a visual and noise blight in the community 7. Put San Clemente High School in jeopardy! <p>I urge you to seek other alternatives which will take the toll road extension out of the center of a quiet residential community, and for the sake of allowing the continuity of a healthy living environment for the families in South Orange County!</p> |

W-28

FETZER PAMELA 2124 VIA TECA General Comment Transportation Corridor Agencies
SAN CLEMENTE
CA 92673

I would like to express my opinion regarding the completion of the Foothill South 241 Corridor to the 5. I feel that the road is necessary. However, it does not make sense to use any other route than the original plan to go through the unimproved land south of San Clemente (Christianitos). To build through homes that have just been built in Talega, or to devastate the high school and businesses on Pico, or to use Vista Hermosa does not make sense. The Marblehead area, where we live, already has the noise from the 5 Freeway and we do not want the 241 here. The streets in San Clemente are crowded as it is and to bring the road down to the 5 in the middle of town does not make any sense.

I have been through this type of situation before and remember the impact of having our home taken. I lived in Playa del Rey when the Los Angeles airport decided it wanted the whole area around it. Thousands of us were displaced.

Hopefully, there is a way to take the road even farther east back along the hillside south of San Clemente.

Thank you.

PARTIN ROBIN 1525-A CALLE
SACRAMENTO
SAN CLEMENTE
CA 92672

General Comment I am opposed to the extension of the toll road south and I am extremely opposed to a toll road going through San Clemente and any route that involves Avenida Pico.

I do not trust your statistics as everyone I speak with does not support the extension.

Do not ruin one of the last remaining communities in Orange County that is still an enjoyable place to live.

NICHOLS AILEEN 2429 CAMINO
BUCANERO
SAN CLEMENTE
CA 92673

Land Use

The highest and best land use currently exists in San Clemente (Marblehead). The proposed alternative is going to impact, destroy and overburden existing, established neighborhoods.

NICHOLS AILEEN 2429 CAMINO
BUCANERO
SAN CLEMENTE
CA 92673

Project
Alternatives

There are viable alternatives that are less destructive.

NICHOLS AILEEN 2429 CAMINO
BUCANERO
SAN CLEMENTE
CA 92673

General Comment

Any alternative that destroys San Clemente is wrong. It takes years and decades to build a community. Why destroy it?

NICHOLS AILEEN 2429 CAMINO
BUCANERO
SAN CLEMENTE
CA 92673

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

Heavy traffic patterns, pollution to nearby residential neighborhoods is against everything we want to build for our country.

NICHOLS AILEEN 2429 CAMINO
BUCANERO
SAN CLEMENTE
CA 92673

Traffic and
Circulation

Any alternative that goes through San Clemente, destroys the high school and established neighborhoods in Marblehead is not good. In America, we want to build good neighborhoods, with sensible traffic patterns and safety for our children -- not impact good neighborhoods.

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| NICHOLS AILEEN | 2429 CAMINO BUCANERO SAN CLEMENTE CA 92673 | Air Quality | What is to be gained by impacting the air quality of existing residential neighborhoods? |
| NICHOLS AILEEN | 2429 CAMINO BUCANERO SAN CLEMENTE CA 92673 | Noise | What is to be gained by destroying quiet, residential neighborhoods? |
| NICHOLS AILEEN | 2429 CAMINO BUCANERO SAN CLEMENTE CA 92673 | Pedestrian and Bicycle Facilities | Think of the children and seniors. Other viable alternatives exist. |
| NICHOLS AILEEN | 2429 CAMINO BUCANERO SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | It makes absolutely no sense to destroy one of the "last, best places on earth." |
| GRAEBER WILLIAM | 33521 VIA DE AGUA SAN JUAN CAPISTRANO CA 92675 | Traffic and Circulation | Not only will traffic flow be improved by alternate route availability, but the environment will be improved as well. Even the environmentalists, if they are honest, will acknowledge the fact that an idling vehicle (a vehicle stuck in bumper to bumper traffic) generates more pollutants than a vehicle at speed. So a better environment is helped by toll road completion as well as emergency vehicle access from north to south or south to north. |
| GRAEBER WILLIAM | 33521 VIA DE AGUA SAN JUAN CAPISTRANO CA 92675 | General Comment | The southern extension of the toll road is desperately needed to alleviate traffic congestion through the south county area for not only general traffic, but for free flow of emergency vehicle traffic as well. As a resident of San Clemente for 15 years and of San Juan Capistrano for 7 years, I am very aware of the immense congestion on the only major thoroughfare through these towns. During summer months, weekend traffic frequently comes to a complete stop on the 5 freeway. This causes concern for the free flow of emergency vehicles be they ambulances, sheriff or fire apparatus to the site of their need. By providing the toll road as an alternative to the freeway through these towns, the general traffic will be reduced. |
| SNYDER K | 22351 CAMINITO DANUBO LAGUNA HILLS CA 92653 | Project Alternatives | Just pick a route & build it already! |
| SEARS ROBERT | 2501 CLIFF RD UPLAND CA 91784-1159 | General Comment | This is EXCELLENT use of the land. Press on and extend the toll road. |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Land Use | <p>In regard to the location of the land, please make sure that all care and positive consideration is given to the local interests of the residents near the extension.</p> <p>Please have all debris removed regularly. It would be nice if a special effort was made during the rainy season.</p> <p>Please make special consideration for safety. For example, please don't make it easy for drunk drivers to get onto the toll road. It would be great if the toll booth attendants and camera monitors receive real training in spotting drunk driving with an easy way to stop them and alert the CHP. There are a lot of bars in OC and things can get really wild.</p> |

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| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Public Services and Utilities | Please carefully consider the impact of any plans to run utilities along the freeway. Please engineer everything in such a way that any service maintenance does not affect traffic or public safety. Please also make sure that there is no possibility of gas leak explosions or sewage leaks. | W-29 |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Cumulative Impacts | Please keep Orange County clean. It would be nice if the toll road was made a special driving zone with double fines. This should discourage littering and road rage racing a little more. I see people going over 85mph routinely on the 241, 133, and 261 freeways every time I am there. | |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Traffic and Circulation | Regarding the extension of the 241, I am concerned that the daily backup near the Riverside border of the northern section will become worse due to the extension. Please make sure that Orange residents are not negatively affected by this backup who rely on the 241 for their use. | W-30 |
| | | | Please make sure that all care is given to increase throughput in the Orange area. | |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Water Quality | Please keep the amount of travelers down through high tolls to Riverside drivers. They do not pay Orange County taxes and their exhaust pollutes our water. Orange County needs good water. | |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Air Quality | Please keep the amount of travelers down through high tolls to Riverside drivers. They do not pay Orange County taxes and their exhaust pollutes our air. The county needs good air to breathe. | |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Noise | Please keep the soundproofing in good repair and enforce setbacks vigorously. There will likely be more traffic in Orange, and the Toll road goes near horse ranches. Please respect their right to quiet privacy. | |
| GONG GEORGE | 155 N. SINGINGWOOD ST. #15 ORANGE CA 92869 | Pedestrian and Bicycle Facilities | Many of my friends bike from Rancho Santa Margarita to San Diego on the weekends. If it were practical, they would bike to Irvine daily. It would be nice if I could bike from Orange to the coast using the new toll extension. | |
| ROBBINS ADAM | 2000 VIA VINA SAN CLEMENTE CA 92673 | Cumulative Impacts | Nobody has been able to convince me that a freeway going above San Mateo Campground would be environmentally safe or in any way appealing to the eye. You will ruin one of the best state park campgrounds in southern California | |
| ROBBINS ADAM | 2000 VIA VINA SAN CLEMENTE CA 92673 | Project Alternatives | Extend La Pata to Pico.....problem solved. La Pata/Antonio can take you to the existing toll road. | |
| ROBBINS ADAM | 2000 VIA VINA SAN CLEMENTE CA 92673 | General Comment | The toll road does not need to be extended. Money is the main reason it is continuing to be forced on us. Build a road thru open land and that open land will need developing. Not too hard to figure out. If there is an emergency, most San Clemente residents would have to travel south to get on the toll road to go | |

north. Does not make sense.

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| JOHANNES SCOTT | 112 CALLE CAMPO SAN CLEMENTE CA 92672 | General Comment | We need the toll road south. The longer we wait, the worse our quality of life becomes. Please do everything possible to overcome the special interest groups and build the south extension. The most viable route is the alignment connecting to the 5 Freeway south of San Clemente. |
| REFOWITZ MARK | 225 AVENIDA PRINCESA SAN CLEMENTE CA 92672 | General Comment | I am against the construction of the Foothill south extension if traffic will be routed through San Clemente. The only way I could support the road construction is if I-5 is widened from the merge of the new road to the El Toro Y. I-5 is currently overloaded and can not handle additional traffic. I-5 must be at least 5 lanes plus a car pool lane on each side the entire length of the road from San Clemente to the El Toro Y. |
| STIVERS DAVID | 2907 CALLE FRONTERA SAN CLEMENTE CA 92673 | Project Alternatives | <p>I strongly feel that any of the alternative routes that would involve using Avenida Pico as the terminus for the toll road south are totally unacceptable. This area is already impacted heavily with traffic. In addition they would adversely affect San Clemente High School. I feel connecting to the existing 5 freeway just south of the San Clemente City limits would be best.</p> <p>Thank You, David A. Stivers</p> |
| PATTERSON COLLEEN | 32801 MATTHEW DR. DANA POINT CA 92629 | Project Alternatives | The alternatives which dump the 241 into the middle of San Clemente (Ave. Pico or Ave Hermosa) make no sense. If you are going to do it, do it right and extend the 241 to north of Camp Pendleton. If money is an issue let the developers chip in, as you can see from the 73, they are the ones who benefit. |
| STEPHENS RON | 139 WEST AVENIDA RAMONA SODONA CA 92672 | Project Alternatives | The most southern route by Camp Pendleton is the best alignment. |
| STEPHENS RON | 139 WEST AVENIDA RAMONA SODONA CA 92672 | General Comment | The toll road needs to be completed to the I-5. The southern route by Camp Pendleton. |
| STEPHENS DANA | 139 WEST AVENIDA RAMONA SAN CLEMENTE CA 92629 | General Comment | <p>If the 241 south is going to go through. I am against it going through the city of San Clemente.</p> <p>Farther south would be a better option, if at all.</p> |
| COYLE ROBERT | 3 LUSITANO COTO DE CAZA CA 92679 | Project Alternatives | I support either the Alignment 7 Far East Crossover-Modified, the Far East Corridor-West or the Far East Corridor-Modified alignments proposed in the EIS. |
| COYLE ROBERT | 3 LUSITANO COTO DE CAZA CA 92679 | General Comment | I believe that the projected growth in Orange County demands that the Foothill South be built. Housing needs to be developed and with housing comes additional traffic. Our current infrastructure will be unable to handle this traffic without this project. |
| PHEGLEY LINDA | 23662 VIA POTES | General Comment | I strongly support the completion of the tollroad to San Clemente. |

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| MISSION VIEJO CA 92691 | | | |
| CAHILL JENNY | 28101 AMBAR MISSION VIEJO CA 92692 | Project Alternatives | I support the Far East Corridor-Modified (FEC-M) Alternative. |
| ROBINSON JOSEPH | 410 AVE SANTA BARBARA #1 SAN CLEMENTE CA 92672 | Wildlife, Fisheries, and Vegetation | I do not believe the completed road will have much of an impact on wildlife, fisheries or vegetation. These areas have been well addressed in the past and I have no reason to believe that all of the goals won't be met. |
| ROBINSON JOSEPH | 410 AVE SANTA BARBARA #1 SAN CLEMENTE CA 92672 | Growth Inducing Impacts | The 241 Extension will have no or very little impact on growth as the impacted area has had a master plan for the last twenty years that was just recently modified. Nobody should be surprised by any growth in housing and population. It has little to do with this project. |
| ROBINSON JOSEPH | 410 AVE SANTA BARBARA #1 SAN CLEMENTE CA 92672 | Project Alternatives | I prefer the far Eastern or modified eastern alignment. An extension through San Clemente at the Pico corridor is totally unacceptable and out of the question. |
| ROBINSON JOSEPH | 410 AVE SANTA BARBARA #1 SAN CLEMENTE CA 92672 | General Comment | I have been waiting a long time for this extension to be completed and believe it is very much needed. |
| STONE MELINDA | 647 CAMINO DE LOS MARES #108-100 SAN CLEMENTE CA 92673 | Project Alternatives | I would like to see the road built as far inland as possible--as far away from San Clemente as possible. If any alternatives too close to San Clemente are considered, I would rather have NO-Build, than too close to our town. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | General Comment | As a ten year owner of an \$800,000 home in the Broadmoor Estates at 307 Calle Fiesta, San Clemente, we are directly above the southern extension of the Foothill 241 Toll Road, as are hundreds of other homeowners. We purposely bought in this location for our retirement years. This home, like many of the other homes, is a single-level home to accomodate stresses on our body induced by age. We purposely picked this San Clemente location because it was affordable and provided us with the best air quality and city environment in Orange County. If this southern extension is allowed to continue, it will pass within yards of our frontage. Not only will it destroy our scenic benefits, but worse the air quality that is much needed for us to sustain any quality of life. This accompanied with the tremendous noise pollution will drive us from our home. We strongly feel it is a direct violation of our right to life, and at the least, is a direct insult to four decades taxpayers. This project MUST be stopped. In a ate that is already billions of dollars in debt, we the taxpayers, can little afford the litigation if this project goes forward. Our voices must be heard and this project must be stopped...and can be stopped with exits already in place. Please let our senior voices be heard. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Growth Inducing Impacts | The growth has to be slowed, if not stopped. Not only is our air quality threatened, but our water supplies are lower than they have ever been in the history of the state. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA | Visual Resources | See above comment. |

SAN CLEMENTE
CA 92672

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| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Cumulative Impacts | See above comments. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Traffic and Circulation | See above comment. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Threatened and Endangered Species | Residents...See above comment. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Air Quality | See above comment. |
| NEEVE PAUL AND JUDY | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Noise | See above comment. |
| NEEVE PETER | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Land Use | Pico is an essential, already well-travelled local artery that should not become an all-access multi-laned freeway. The area is not equipped to handle mass transit (as opposed to open lands farther South). What charm the current Pico Blvd and beach aura of san Clemente has now will surely be lost with the addition of the 241 Extension. We and our neighbors do not want our area to look or feel like Huntington Beach. |
| NEEVE PETER | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Growth Inducing Impacts | Pico is an essential, already well-travelled local artery that should not become an all-access multi-laned freeway. The area is not equipped to handle mass transit (as opposed to open lands farther South). What charm the current Pico Blvd and beach aura of san Clemente has now will surely be lost with the addition of the 241 Extension. We and our neighbors do not want our area to look or feel like Huntington Beach. |
| NEEVE PETER | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Cumulative Impacts | The air & noise pollution generated from the proximity of the vehicles using this thoroughfare would cause health & breathing problems along with elevated noise levels that conclusive studies show diminish concentration & learning levels. |
| NEEVE PETER | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | Affected Environment, Environmental Consequences, and Mitigation Measures | The air & noise pollution generated from the proximity of the vehicles using this thoroughfare would cause health & breathing problems along with elevated noise levels that conclusive studies show diminish concentration & learning levels. |
| NEEVE PETER | 307 CALLE FIESTA SAN CLEMENTE CA 92672 | General Comment | As a 10 Year area Broadmoor (307 Calle Fiesta), San Clemente Homeowner, I strongly feel your proposed Southern extension of the 241 Toll Road that will deposit traffic in the Pico Offramp vicinity MUST NOT be allowed to proceed. My wife & I strongly feel that not only will our quality of life will be impacted, but will |

greatly impact hundreds of our neighbors lives including the thousands of young people who attend or will be attending San Clemente High School.

BERRY RANDALL 2851 E.
STANDISH
AVENUE
ANAHEIM CA
92806

General Comment To whom it may concern,

I feel strongly that Orange County desperately needs an alternative freeway corridor to take the load off of the I-5 - Freeway. Whatever environmental impacts that the extension of the 241 Toll Road might have I believe can be mitigated by the dedicated efforts of the design engineers. BUT most importantly, the environmental benefits that all of southern California will receive, through reduced congestion / smog / lost production, make the project a "must" and will out-weigh any potential negative affects. Southern California cannot continue with only one corridor (the I-5 bottleneck) between San Diego & Orange Counties.

Sincerely
Randall G. Berry

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Project
Alternatives

None. Don't extend the toll road.

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

General Comment

I am opposed to the extension of the 241 tollroad any where close to San Clemente. I value our quiet beach side town, the fact we don't have pollution and there is relatively little noise we get from the 5 freeway.

An extension of the toll road anywhere near San Clemente would dramatically change all these positive aspects of living here. Noise would increase tremendously. Traffic would increase tremendously. Congestion would increase tremendously. Our views would be impaired both from the infrastructure of the roads and by the increased pollution created by the vehicle traffic. All of these aspects apply to each of the below categories of subject.

I totally oppose the extension.

I appreciate the opportunity to be heard.

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Cumulative
Impacts

Dramatic decrease to our quality of life. Not acceptable.

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

More roads has never decreased traffic problems. They only invite more building. All this has negative impact on our environment, and wildlife. Some land needs to be free of additional development - let growth occur somewhere else.

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Traffic and
Circulation

Would negatively impact traffic and circulation in and around San Clemente by bringing more traffic and circulation in. -

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Wetlands and
Waters of the US

Not acceptable any thing that would adversely impact our wetlands and water.

PERRAULT LEON 217 VIA PRESA
SAN CLEMENTE
CA 92672

Water Quality

Potential damage to our water quality despite assurances of water filtration. Not acceptable.

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| PERRAULT LEON | 217 VIA PRESA SAN CLEMENTE CA 92672 | Air Quality | Dramatic impact on our good air quality. Not acceptable. |
| PERRAULT LEON | 217 VIA PRESA SAN CLEMENTE CA 92672 | Noise | Horrible effects by increasing the roads around here. Not acceptable. |
| OWNBY DANIEL | 1 ORLANDO COURT LAGUNA NIGUEL CA 92677 | General Comment | I think that the Foothill (241) Toll Road should be extended to the 5 Freeway in San Clemente because it would ease traffic on the 55 Freeway and the 5 Freeway. I also think that it would have very minimal inivornmental impact. Thank you for listening. |
| BALDRIDGE KEVIN | 110 INNOVATION IRVINE CA | General Comment | <p>I sincerely hope the toll road extension is allowed to proceed. I believe it will materially reduce conjection on the 5 Freeway as well as on Antonio and many of the Ladera Ranch side streets. Given the proposed development of 12,000 - 14,000 new homes, the toll road will be critical to move traffic efficiently and expediciously through the area.</p> <p>The sooner the road is built and opened, the better the quality of life will be for all of us south county dwellers.</p> |
| TEEK STEPHANIE | 14682 PLAZA DR., #B TUSTIN CA 92780 | General Comment | <p>I am writing to submit my comments in opposition of the extension of the 241 Foothill South Toll Road. TCA is practically defaulting on its current loans for what currently is the 241 Foothill South Toll Road, I cant imagine a fiscally sound company extending the road and its debt in light of the current financial situation. That aside, there are numerous species that will be imperiled if the toll road is extended. Water quality will be lessened through the last wild running creek in Southern California, Tresles beach will be ruined due to pollution and its pristine surf destroyed. PLEASE preserve our quality of life, the City of San Clemente, Tresles Beach by DENYING the permit for the 241 South Extension. When I was at a recent public hearing, the "opposing" side clearly outnumbered the "for" side. I assume the comments submitted to you will reflect the same. However I hope you listen to the MAJORITY and not take it upon yourself with your personal opinion and side with the few who feel more environme</p> <p>ntal degradation is the way to go. NO ON THE 241 FOOTHILL SOUTH TOLL ROAD EXTENSION! NO NO NO!</p> <p>Sincerley, Stephanie Teek Tustin, CA</p> |
| SUTTON NANCY | 3382 CALLE CHUECA SAN CLEMENTE CA 92672 | General Comment | I believe that the extension of this highway must be done as now when it ends at Oso Parkway it is dumping on side streets causing unnecessary traffic problems. It needs to end/dump out on to a major highway which would be the I-5, prefferably out of the San Clemente city limits so it does not impact normal city driving traffic. |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | General Comment | This project should have been moved ahead many months ago. It is well designed and thought out. |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Affected Environment, Environmental Consequences, and Mitigation Measures | The environmental consequences of this project have been blown way out of porportion by environmental groups and the media. The impact will be far less than implied. |

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| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Historic and Archeological Resources | Care can be taken to preserve any discoveries. |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Traffic and Circulation | The improvement in T and C for all of So. County will be improved immeasurably by the completion on 241 through San Clenente. |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Coastal Zone | Same as Sec. 4.12 |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Wild and Scenic Rivers | Same as Section 4.12 |
| CAMPBELL COLLENE | 27552 ROLLING WOOD LANE SAN JUAN CAPISTRANO CA 92675 | Threatened and Endangered Species | Virtually no impact to T and E species. |
| SEEHAFER DAVE | PO BOX 668 SAN CLEMENTE CA 92674 | General Comment | Regarding the tollroad south extension, I urge you to do nothing. The extension is not needed. I will fight and oppose it as much as I can. |
| LOUGHLIN PETER | 30201 AVENTURA RANCHO SANTA MARGARITA CA 92688 | General Comment | As an employer in Rancho Santa Margarita, we would welcome the completion of the Foothills South 241 extension project. As property prices continue to rise in Orange County, our employees are finding it harder and harder to find homes they can afford. Many are looking to Oceanside and further South. The proposed extension would make it easier for us to recruit from those more distant job markets as it would substantially improve the journey time. Peter Loughlin Chief Financial Officer |
| KLAASEN DEBBIE | 913 AVENIDA PRESIDIO SAN CLEMENTE CA 92672 | General Comment | Only the plans on pages 17, 18 and 19 of your brochure should be considered! Any other alternative would be absurd. We need this toll road now! Traffic is getting worse every day. If there was ever an "accident" at the power plant we would never be able to evacuate! |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Project Alternatives | Without earth there is no heaven. |

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| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Other Section of EIS/SEIR | Without earth there is no heaven. I hope you listen to the majority of comments which no doubt oppose the toll road extension! |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | General Comment | Without earth there is no heaven. We can not afford to lose what precious resources we have left. The toll road extension will be devastating to the San Mateo watershed which now lies within undeveloped land. Any kind of development will ruin this pristine natural environment. While we must work on the mass transit issue our County faces, this is not the alternative that will provide us with a viable solution. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Energy | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Visual Resources | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Water Quality | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Hazardous Materials and Hazardous Waste Sites | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Floodplains, Waterways, and Hydrologic Systems | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Historic and Archeological Resources | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Air Quality | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Coastal Zone | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Noise | Without earth there is no heaven. |

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| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Pedestrian and Bicycle Facilities | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Coastal Barriers | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Socioeconomics and Environmental Justice | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Wild and Scenic Rivers | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Farmland | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Threatened and Endangered Species | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Wildlife, Fisheries, and Vegetation | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Land Use | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Wetlands and Waters of the US | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Recreation Resources | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Public Services and Utilities | Without earth there is no heaven. |

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| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Paleontological Resources | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Mineral Resources | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Military Uses and Camp Pendleton | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Earth Resources | Without earth there is no heaven or earth resources! |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Growth Inducing Impacts | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Cumulative Impacts | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Affected Environment, Environmental Consequences, and Mitigation Measures | Without earth there is no heaven. |
| SUMTER GREG | 34010 SELVA ROAD, #4 DANA POINT CA 92629 | Traffic and Circulation | Without earth there is no heaven. |
| TEEK JAKE | 14682 PLAZA DR., #B TUSTIN CA 92780 | General Comment | <p>Hi, I'm Jake and I'm 13 AND I oppose the toll road , because it would pollute a unpolluted creek in Orange and that would go to the ocean and it would have a bad effect for life in and around the water of the creek and ocean . and the toll roads cost too much . and when we pay the toll we would pay to pollute . thats just sickening .</p> <p>sincerely J. Teek</p> |
| ANDERSON CYRUS | 1323 ALTURA SAN CLEMENTE CA 92673 | Project Alternatives | <p>The FEC-M is preferable to any alternatives that would route traffic closer to San Clemente and San Juan Capistrano. In general, a route should be chosen that limits the impact on existing roads and instead maximizes the benefit intended by this project.</p> |

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| THOMAS DAMIAN | 36 TRADITION LANE RANCHO SANTA MARGARITA CA 92688 | General Comment | <p>I am very much in favor of extending the SR 241 Toll Road from Antonio Parkway to the I5. I live near the intersection of Antonio and Oso Parkways. I look forward to using the Toll Road regularly.</p> <p>I would be very much opposed to a route that would not extend all the way to the I5. What would be the point of that? If I am travelling to LegoLand or San Diego, I want to go to the I5. I don't want to pay a toll only to get stuck on surface streets in San Clemente.</p> <p>I would also be very much opposed to the Arterial Improvements, since that would mean significantly more traffic on Oso parkway and Antonio Parkway. My children will be attending Las Flores Elementary and Las Flores Elementary schools for at least the next 10 years. There is already plenty of traffic on these arterials, especially during peak commuting hours.</p> <p>With regards to the routes going through San Onofre State Beach Park, I would be in favor of that approach. It would save a lot of money by not having to tear down many existing homes</p> <p>in San Clemente. The routes would connect to the I5, which is a priority of mine. My family has camped in this park once and found it very noisy, because of the I5, and not particularly scenic.</p> <p>Please consider one of the three following routes:</p> <ol style="list-style-type: none"> 1) Far East Corridor - Modified 2) Far East Corridor - West 3) Alignment 7 - Far East Crossover - Modified <p>Thank you very much, Damian Thomas</p> |
| THOMAS KATHI | 36 TRADITION LANE RANCHO SANTA MARGARITA CA 92688 | General Comment | <p>I am strongly in favor of extending the 241 Toll Road to I-5. By completing the final segment of the 241 Toll Road, it will alleviate the existing traffic congestion along I-5 in San Clemente.</p> <p>After reading the six options, the far east corridor-modified or the fair east corridor - west seem to be the best alternatives since it will not affect some of the existing homes in San Clemente. Once I camped at the San Clemente/San Onofre campsite and it was too noisy and not very scenic since it was approx. a mile from I-5. I would not be opposed to the Toll Road being placed in that location.</p> <p>Kathi Thomas</p> |
| CRAMER EUGENE | 2176 VIA TECA SAN CLEMENTE CA 92673 | Noise | <p>I lived 25 years on a main street in Kansas, where trucks gradually took over the highway. At night their noise was quite bad, and we lost many nights sleep when the jake-brakes bellowed into our bedrooms.</p> <p>We moved here from Los Angeles County for much the same reason, when new streets and traffic patterns brought auto noise into our lives.</p> |
| CRAMER EUGENE | 2176 VIA TECA SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | <p>I find that the overall concern with the "natural environment" to the exclusion of the human aspect (except for meeting air quality standards) does not provide environmental justice.</p> |
| CRAMER EUGENE | 2176 VIA TECA SAN CLEMENTE CA 92673 | General Comment | <p>I do not see where the humans are given equal treatment, compared to a few fish. Clearly any route through San Clemente will kill 600 homes and make many others quite less livable.</p> <p>Any alternative except routing traffic around San Clemente is un-acctetable.</p> |
| TYLER STEVE | 2564 FRANKI STREET ORANGE CA | General Comment | <p>I would like to express my strong opposition to the construction of the Foothill South Toll Road Extension. We cannot afford more environmental desecration which is exactly what the end result of this would create.</p> |

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| YOUNGERMAN LYNNA | 318 AVE. SANTA MARGARITA SAN CLEMENTE CA 92672 | Traffic and Circulation | I am concerned about the non-competition agreement and the effect which this will have on the I 5. It is my understanding that the I 5 cannot be improved within five miles of the toll road until the toll road bonds are paid. This would put a severe hinderance on I 5 which would not balance with the few number of cars which the toll road would accommodate. The main traffic is traveling to the Irvine/Santa Ana area not Corona/ Riverside. |
| MARELIC LIN | 24292 AUGUSTIN STREET MISSION VIEJO CA 92691 | Noise | See above |
| MARELIC LIN | 24292 AUGUSTIN STREET MISSION VIEJO CA 92691 | Land Use | See above |
| MARELIC LIN | 24292 AUGUSTIN STREET MISSION VIEJO CA 92691 | Traffic and Circulation | See above |
| MARELIC LIN | 24292 AUGUSTIN STREET MISSION VIEJO CA 92691 | Air Quality | See above |
| MARELIC LIN | 24292 AUGUSTIN STREET MISSION VIEJO CA 92691 | General Comment | My husband and I are adamantly opposed to widening the 5 freeway to accomodate this project. All other alternatives are superior to creating more traffic and noise in Mission Viejo. Taking over 800 homes via eminent domain would change forever the existing neighborhoods in a very negative way. We need to keep the quality of life in south county, not create an LA in Saddleback Valley. Widening the 5 freeway for this project is as destructive as an airport would be at El Toro. |
| BEATTIE BRUCE | 2 CAMINO SENDERO SAN CLEMENTE CA 92673 | Project Alternatives | Do not site 241 South on or near Avenida Pico in San Clemente. Go east passing near the Camp Pendleton north entrance. |
| CAIOZZO KAREN | 25602 MAXIMUS ST. MISSION VIEJO CA 92691 | Project Alternatives | <p>I am opposed to the widening of the I-5. The I-5 was widened in our neighborhood this last decade and we are still recovering from the results. The noise was not mitigated until recently. The Aegean Hills soundwall is now being built with caltrans funds to mitigate the noise caused by the El Toro Y project.</p> <p>I am in favor of any of the 3 proposed eastern corridor routes. I feel these would be most effective in relieving the traffic on both the I-5, and in the cities of Mission Viejo, Santa Margarita, Ladera, Los Flores, and portions of San Juan Capistrano.</p> <p>Thank you,</p> <p>Karen Caiozzo</p> |

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| RUSSELL CRAIG | 1656 MCDOUGALL TUSTIN CA 92782 | General Comment | As a fairly frequent visitor to San Diego, we would definately use any one of the proposed extensions to the 241. However, the Far East Corridor options are the most attractive as they cut out more of the 5 freeway. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Land Use | See above. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Recreation Resources | See above. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Project Alternatives | I recently saw the plans to run one of the alternatives through my new neighborhood. Obviously I was greatly disturbed by this route. Having the traffic pattern take out our homes in this quiet & new Villa Pacifica community, down Avenida Pico to the freeway cuts San Clemente in half. Is this just to scare us, so we allow you to destroy the eastern back country of the county & run it through the last wilderness area of Orange County. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | General Comment | I am totally opposed to the 241 South. It will bring more development & traffic to south Orange County & north San Diego County. It will threatened many endemic plants & animals. If it goes into San Onofre it will definitely effect the general quality of life at the park & Tressels. It will create more traffic going into the 5 Freeway, which already bottles up at San Clemente. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | See what happened when the 73 was created - Aliso Viejo. See the increased development in Santa Marguerita due to the 241 north. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Cumulative Impacts | See above. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Traffic and Circulation | See Above. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Wild and Scenic Rivers | Trabuco, San Juan & San Mateo Creeks will be changed drastically. These waterways have already been effected by trash from roads, silt build up, flow patterns, loss of wildlife or any recreation use. The toll road will only make matters worse. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Threatened and Endangered Species | The California gnatcatcher, cactus wren, Bells vireo, red-legged frogs, whiptails, steelhead are seriously threatened for extinction if this toll road goes through the eastern & southern portion of the county. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Wildlife, Fisheries, and Vegetation | Coastal sage scrub is one of the most endangered communities in the world. We've already lost 90% of the once existing community to coastal & inland development in southern California. The toll road hardly will improve on this. The existing parks or so called wilderness areas are basically segregated "islands" for wildlife & existing vegetation. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Wetlands and Waters of the US | It is extremely difficult to replace existing wetlands once they are destroyed. Most plans have failed, because no money is available to maintain them and monitor them. Most isolated wetlands end up as desert wastelands totally |

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| | | | devoid of water. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Water Quality | See above 4.4 |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Floodplains, Waterways, and Hydrologic Systems | See above 4.4 |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Air Quality | More cars, more businesses along the road. |
| CAPLAN JEFFREY | 21 VIA PACIFICA SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | With the discovery of steelhead in San Mateo & San Juan Creeks, the tollroad would definitely destroy their already precarious habitats from runoff from the roads & silting the creeks. |
| HOVIK ANNE-LISE | 717 VOA PRESA SAM CLEMENTE CA 92672 | Project Alternatives | I think the Pendleton alternative is a better solution |
| HOVIK ANNE-LISE | 717 VOA PRESA SAM CLEMENTE CA 92672 | General Comment | I am against the Pico alternative to the tolroad expansion. |
| BLONSKI MAUREEN | 23691 VIA BENAVENTE MISSION VIEJO CA 92692 | General Comment | My husband and I think the extension on the 241 tollroad should be completed to alleviate some of the heavy traffic in South County. The choice of route we would leave to the experts, but it definitely needs to connect to the 5 freeway at San Clemente or beyond. |
| BALLESTRACCI HARRY JOSEPH | 535 AVE. BUENOS AIRES SAN CLEMENTE CA 92672 | General Comment | It makes no sense to route part of the south-bound traffic on I-5 over to a toll road and then have it re-enter I-5 near San Onofre. This will create a real traffic jam and will be a CHOKe point. The traffic thru San Clemente on the weekends is already stop and go and this make it worse. I vote NO on the SR 241 toll road extension |
| ROTHERT KARL | 411 E. AVE. CORDOBA SAN CLEMENTE CA 92672 | General Comment | My Wife & I support 100 % the extention of the Toll Road 241 as per your proposal. Either route is O.K. With us as long as it gets done. The traffic on Interst. 5 is getting worse every day and choking us all in SAN CLEMENTE Respectfully Karl Rothert |
| REILLY CINDY | 1413 MANERA VENTOSA SAN CLEMENTE CA 92673 | General Comment | AS a resident of San Clemente, I wanted to voice my opinion that the best route for the toll road would be the "lavendar" one that avoids Pico Blvd and connects at Camp Pendleton. This is the least evasive, most cost effective route. San Clemente already has traffic conjection on the 5 frwy, so having the toll road on the "pico route" would add to that. Please consider the toll road expansion on any route other than going down Pico Blvd. |

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| HURLBUT KARON | 116 AVE TRIESTE SAN CLEMENTE CA 92672 | General Comment | i vote for the far east toll road, before entering san clemente from the south. it's the only one that makes sense. it just clogs up on the 5 in san clemente! |
| LAN FRANCO MARLA | 1003 VIA PRESA SAN CLEMENTE CA 92674 | Project Alternatives | I am in favor of a toll thru Camp Pendleton. |
| LAN FRANCO MARLA | 1003 VIA PRESA SAN CLEMENTE CA 92674 | General Comment | I am against the Central Corridor. I moved to San Clemente and live in the Rancho San Clemente area. I can enjoy the local city life and the old town feel. I believe the 241 toll thru Pico will effect the loss of property value, ocean & canyon views, serenity, air-quality & will endanger some wildlife. Besides, it will be a loss of some homes, and some commercial businesses. I am a supporter of a toll road, however this expansion thru Pico I am severely against. |
| MCFARLAND KENNETH | 2526 COSTERO MAGESTUOSO SAN CLEMENTE CA 92673 | General Comment | Clearly, something needs to be done. Please do not allow the voices of a few over-ride the needs of the many. Alternative A-7, the "Far East Crossover" is the best of all solutions offered when measured against \$ cost, impact and traffic relief to I-5. |
| MORVILLE PETER | 717 VIA PRESA SAN CLEMENTE CA 92672 | General Comment | I think the Pendleton corridor is the best alternative |
| | | Project Alternatives | Clearly, something responsible needs to be done to accommodate south OC's urban sprawl. The no action option is not feasible and would pose a threat to residents in the event of an emergency/evacuation of the area: the I-5 would be gridlocked and we would all be sitting ducks. Alignment 7 Far East Crossover - Modified, the Green Option, seems to reduce traffic dramatically in a cost efficient manner and without displacement of residents and businesses. Unfortunately, it does destroy natural habitats, but then what did we think would happen when we built Talega, Ladera, and now possibly Rancho Viejo. We can't continue to build thousands of new homes without providing sufficient highways to accommodate increased traffic. We need more than one way in and out of San Clemente. In this case, the people are already here, so let's keep our safety in mind and provide access to roads. I am concerned about destroying natural resources, runoff issues endangered species, etc. However, it seems cities should consider those issues BEFORE approving master planned communities. If cities don't want infrastructure and the inevitable environmental damage that goes with it, then don't allow more new development. |
| PENTECOST JOHN | 306 VIA LOS TILOS SAN CLEMENTE CA 92673 | Growth Inducing Impacts | All the proposed toll road will do is allow developers develop more land which will cause more congestion. The quote, "If you build it they will come" comes to mind. This is nothing but a ploy on the part of developers. |
| PENTECOST JOHN | 306 VIA LOS TILOS SAN CLEMENTE CA 92673 | Project Alternatives | None of the the alternatives is viable. The toll roads is employing "hard ball" tactics hoping that residents will take the least intrusive alternate. None of the alternates are good and severely impact the community and few remaining open spaces in the area. |
| PENTECOST JOHN | 306 VIA LOS TILOS SAN CLEMENTE CA 92673 | General Comment | I do not think that the proposed toll road will ease the traffic congestion. I also think that the cost to our public lands is too high. We must stop at some point. I oppose the toll road extension. |

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| BIDDLE BARBARA | 123 W. LOBOS MARINOS SAN CLEMENTE CA 92672 | General Comment | As a 38 year resident of San Clemente I would put the toll road on the Far East route. All summer we are stranded in our city, people are going to come whether the road is built or not, however do not divide, physically, again this city, the freeway already does that. This route will give the option, and if you are going East what a great time saver. The 241 is the best thing, it is a beautiful drive and saves the stress of traffic and time. It would be nice if we could stop growing, we are not able to do this. At least make it the best of the evils. |
| GENSHOCK RON | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | Project Alternatives | Any route that divides San Clemente or stops on an arterial road in San Clemente will just cause more traffic problems. The whole point is to relieve traffic congestion. If the toll road lets out in mid San Clemente what a nightmare that would be. Already the I5 north comes to a creep at Pico and southbound stops in Dana Point before the curve. Improve the arterial streets. |
| GENSHOCK RON | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | General Comment | I am against the toll road in general. They have suggested all different routes to divide people which is not fair. The toll roads don't relieve that much traffic and they are not that success-ful anyway. Only the rich can afford to take them during peak hours. No existing homes should have to be removed. The owners have worked hard to buy in this beautiful city. |
| GENSHOCK SANDY | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | Project Alternatives | Do not divide San Clemente and force people out of homes. Improve the existing arterial streets, the on & off ramps of I5. If any route, the green one will ease more congestion because it doesn't drop the cars into the middle of San Clemente and it preserves more of the natural habitat than the purple and lavender routes. |
| GENSHOCK SANDY | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | General Comment | Having so many options is an unfair strategy to get people to disagree. Would you want to be forced out of your new home or have the value of your home go down after you worked 30 years to live in San Clemente? It's not worth destroying homes & businesses for the small group that can afford the toll road and it really won't relieve that much daily traffic. The point is to relieve traffic, not create more on the I5 when it ends in San Clemente that will back traffic up to other cities anyway. First improve the arterial streets and the on & offramps on the I5. Then go south of San Clemente. Talega and Rancho Mission Viejo are already going to add more traffic on Pico and San Clemente as it is. Improve Ortega Hwy |
| GONZALEZ SHARON | 2247 AVENIDA SALVADOR SAN CLEMENTE CA 92672 | General Comment | I am a San Clementian and know that we desperately need the toll road through the backhills of San Clemente. There are too many residents now in this small community and any little traffic jam backs us up for hours. Please count my vote as a yes for the toll road Sharon and Raul Gonzalez Avenida Salvador San Clemente |
| GENSHOCK SUZANNE | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | Project Alternatives | No to Pico and La Pata/Hermosa routes. If less congestion is the reason for the extension put it south of San Clemente. Improve existing arterial streets and the flow of the I5. It seems the green route is the least disturbing to people's homes, businesses and the habitat. |
| GENSHOCK SUZANNE | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | General Comment | Do not split San Clemente with a Pico route and create more congestion on the I5 in San Clemente. Ending at Hermosa or La Pata just creates more congestion on surface streets in San Clemente. Improve the arterial streets and improve the I5 in ways not destroying homes and businesses. Only the rich can afford tollroad peak travel anyway. Give everyone the chance to experience less congestion - we all pay taxes! |
| THOMAS | 601 CALLE REAL | Traffic and | My children attend San Clemente High School, which is already overcrowded |

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| KIRSTEN | SAN CLEMENTE CA 92673 | Circulation | <p>enough that they have to have the freshmen walk up a hill to another site. At drop off and pick up times, Pico is a nightmare. Ultimately, another high school may need to be built, but in the meantime, we do not want any more traffic on Pico. Also, if you see my general comment, it still applies to this issue. Circulating around the current houses is the best idea. when people bought homes here, they did so loving the city and roads the way they are. Homes that are planned in the future are "fair game". When people know that they are buying a house inland that may end up being close to toll roads, they know that before they pay for their home. Keep it away from Pico for our children's sake, and keep it south of town. Thank you. Kirsten Thomas</p> |
| THOMAS KIRSTEN | 601 CALLE REAL SAN CLEMENTE CA 92673 | General Comment | <p>Please add my name to your growing list of San clemente residents that are not in favor of any type of freeway or toll road encroachment on Pico. I am also not in favor of disrupting the environment, and propose that any plan that is south of the housing in San Clemente, and adjoins the 5 freeway south of San Clemente, yet away from the beach and Camp Pendleton, would not be great, but would be the lesser of all evils. Ultimately, funds will have to allotted to increase the width of the 5, but I know that with the additional commuters, our freeway, which is already congested, will benefit from the toll road if it is away from homes and does not destroy habitats. Something similar to what occurred in Irvine, avoiding exits over the homes and exits over the streams, etc. would be fine.</p> |
| GENSHOCK STEVE | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | Project Alternatives | <p>Go south of San Clemente. Ending the tollroad in mid San Clemente will just add more congestion! The Pico route will split our city destroying too many homes & businesses. The La Pata and Hermosa routes will cause traffic to go down residential areas to get to the I5. That's not good. The green route seems less disturbing to people and the habitat and will end where the freeway opens up anyway. Then the purple route.</p> |
| GENSHOCK STEVE | 1412 MANERA VENTOSA SAN CLEMENTE CA 92673 | General Comment | <p>Don't create more traffic in San Clemente and stop the tollroad from destroying homes and businesses. Do not go with the Pico or La Pata and Hermosa routes. These would just create more congestion in the middle of San Clemente and back traffic up to other cities anyway. Go south of San Clemente and improve existing arterial streets and the flow of the I5. Do not destroy San Clemente!</p> |
| LE COMPTE JACK | 305 E. FERNFIELD MONTEREY PARK CA 91754 | Project Alternatives | <p>Go south of San Clemente to ease congestion and improve the major streets to the tollroad. Also improve the I5. If any route, the green route is less disturbing to people and the habitat and will help ease some congestion.</p> |
| LE COMPTE JACK | 305 E. FERNFIELD MONTEREY PARK CA 91754 | General Comment | <p>Don't break up the city of San Clemente by stopping the tollroad there and causing more traffic on the I5 in San Clemente. We travel to our daughter's home in San Clemente often. Why not improve the existing major streets and I5 in ways not destroying homes, businesses and the city of San Clemente. Keep it south of San Clemente! Stopping the tollroad in San Clemente will just create more traffic there and drop property values.</p> |
| WALZ AMY | 1407 MANERA VENTOSA SAN CLEMENTE CA 92673 | Project Alternatives | <p>As a San Clemente resident, I am in support of the toll road lengthening, but would only support the two Far East Corridor (lavender or purple) options or the Alignment 7 - Far East Crossover (Green) option. All other options would either divide the city, destroy community businesses that I depend on, make San Clemente less attractive and further congest Pico and Vista Hermosa. As a home owner east of the 5, I strongly urge you to support the three options I mentioned above.</p> |
| WHITTIER MARY | 2310 CALLE MONTE CRISTO SAN CLEMENTE CA 92672-4409 | Threatened and Endangered Species | <p>This issue can be blown out of all proportion. Yes, protect habitats, but think of all the pollution from congested traffic. Human beings are being threatened too.</p> |

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| WHITTIER MARY | 2310 CALLE MONTE CRISTO SAN CLEMENTE CA 92672-4409 | Land Use | The road should enter I-5 south of Christianitos. Surfrider does many good things, but promoting a Pico interchange seems a selfish and costly way to discourage others to use "their beaches". |
| WHITTIER MARY | 2310 CALLE MONTE CRISTO SAN CLEMENTE CA 92672-4409 | General Comment | Having lived in San Clemente for 30 years, I do support an additional road. I-5 is so over crowded that it becomes a safety issue. Most of my many friends agree, but few of us go to hearings. This is my first time to offer support. |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Project Alternatives | Most deinitely The choice is the farthest corridor East that is humanly possible |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | General Comment | Certainly anyone involved in any of these proposals knows this would be devastating to a neighborhood that has already indured major increase inpopulation, construction and development. We need a break in the MarbleHead community |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Visual Resources | Another Eyesore |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | I Have Tried and tried to Read and understand these reports. They are written as to confuse and mislead everyone as to the real truth of these issues. Why can't these people doing these studies be honest instead of taking the taxpayers money to give positive reports for Payoffs |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Traffic and Circulation | Major concern that our High School is directly in the course of all this TRAFFIC AND WILL FURTHER CONGESTION AND BECOME A SAFETY ISSUE |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Water Quality | Additional run off to our oceans with this proposed road so close to our ocean is ludricous. We have issues all year long as it is now. And what more garbage from more cars? |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Air Quality | Air Qulaity is a consideration that I do not feel has been addressed thoroughly. No one using a Toll road will be utilizing economy HYBRID cars. Technology won't let them go far enough yet, so more pollution in what was once a great beach community with clean air. |
| ARMENTEROS KATHLEEN | 2053 VIA CONCHA SAN CLEMENTE CA 92673 | Noise | No Need to say anything about this issue. Of course there will be noise pollution to 1000's of homes, schools, and porks |
| | | Socioeconomics and Environmental Justice | We need to question the motives of quite a few of the so called envirmetalists. I love the beach, the surf, animals, plants, and the outdoors, but I do not have the right to kep it all to myself. Some people are hiding behind the enviromental impact agrument to keep their surfing beach from being more crowded. This is just selfish and not fair to other people. THE ROAD SHOULD CONNECT WITH |

I5 JUST SOUTH OF SAN CLEMENTE.

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| | | Project Alternatives | I believe that the only economically viable alternative is the road that connects with I5 just south of San Clemente. The environmental impact is less than the other alternatives when you consider the impact on all those that need to use the highways. |
| | | Traffic and Circulation | The traffic congestion is now a safety issue on I5 through San Clemente and will only get worse in the future, not to mention the excess cost of fuel and loss of time for all those that need to travel anywhere outside of San Clemente. The best alternative is the road that connects with I5 just South of San Clemente. |
| STIRRETT STEVE | 32912 PASEO DEL AMOR SAN JUAN CAPISTRANO CA 92675 | Growth Inducing Impacts | I object to the tollroad extension, in that it will open up more housing in the foothills. We are already too overcrowded in South Orange County and this will only make it worse. Please, do not extend the tollroad beyond Oso Parkway. |
| MATTHEWS LEIGH | 3815 VISTA BLANCA SAN CLEMENTE CA 92672 | General Comment | I am in favor of the southern route for toll road |
| BUTERA RICHARD | 313 CALLE ESCUELA SAN CLEMENTE CA 92672 | Noise | The noise associated with the addition of the Toll Road at Pico would have negative effects upon home values and 3000 students at San Clemente High School |
| BUTERA RICHARD | 313 CALLE ESCUELA SAN CLEMENTE CA 92672 | Cumulative Impacts | Considering the good of the City of San Clemente, the value of property, the health and welfare of residents in San Clemente should block any consideration of a route down Pico for the Toll Roads. |
| BUTERA RICHARD | 313 CALLE ESCUELA SAN CLEMENTE CA 92672 | Air Quality | The effect on air quality would not only hurt housing values and resident health, but the health of 3000 students at SCHS. |
| BUTERA RICHARD | 313 CALLE ESCUELA SAN CLEMENTE CA 92672 | General Comment | <p>Anyone who knows the 5 freeway at Pico knows that the hill on either side of it slows traffic to a near standstill several times a day. Adding a tollroad or freeway junction at that location would lock up traffic in a fashion reminiscent of the El Toro Y in the 70's and 80's. As a 33 year resident of San Clemente the last thing I would want to see is the city sliced in half by the Pico Central Corridor. It is bad enough that you are considering allowing a private corporation, the Toll Roads, to use eminent domain over residential and business properties, but it further extends the damage Cal Trans allowed half a century ago. The original plan for the 5 freeway when it was constructed put it exactly where the intended toll road through the back of San Clemente to San Onofre is proposed today. At that time the city of San Clemente's representatives in their infinite stupidity actually asked the state to cut through the town. The Pico plan would recut the city once again. This should not happen. If you must</p> <p>steal and pillage the landscape, go behind the town. Finally, what authority do you think the Toll Roads has over the city of San Clemente?</p> |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Land Use | No improvements of any kind on the west or south side of I-5. |

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| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Project Alternatives | Through Camp Pendleton and away from any incorporated city as possible. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | General Comment | I am a resident of the city of San Clemente. I am not against the toll road. However, I am against any possible route that would require the relocation or dislocation of any residents or businesses. My favored route would be the route that is the most easterly route. My preference would be to place the toll road over Camp Pendleton, but if that is not possible, then I want it to be as far to the east as is possible. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | I am totally against any changes to the state park including the addition of any improvements there. I would not want to see any new bike paths, pedestrian paths, trails, or any new improvements. The area from south of San Clemente State Beach through San Onofre State Beach is somewhat remote and raw. No matter how the toll road is constructed, I do not want to see any impact (good or bad) to the lands surrounding that stretch of beaches between I-5 and the ocean. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Traffic and Circulation | Totally against any route that would go through or in the city of San Clemente. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Coastal Zone | No new improvements of any kind on the west or south side of I-5. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Noise | No increase in traffic noise to residents of the city of San Clemente. |
| LUNDQUIST VICTOR | 1519 CAMINO RESERVADO SAN CLEMENTE CA 92673 | Pedestrian and Bicycle Facilities | No new improvements of any kind on the west or south side of I-5. |
| SMITH GAY | 28511 ORTEGA HWY. SAN JUAN CAPISTRANO CA 92675-2018 | Project Alternatives | I believe the Foothill-South corridor is an excellent roadway and helps to greatly relieve traffic flow. I think that either of the Far East Corridors or Alignment 7-Far East Crossover would be the best alternatives. There is already a lot of congestion on the Five Freeway through San Clemente so the further south the traffic could be diverted the better it will serve to alleviate traffic congestion. |
| MAZER LES | 681 CRETE CT ENCINITAS CA 92024 | Project Alternatives | The corridor should join at Basilone Rd to mitigate congestion & accidents along I-5 in San Clemente. The Far East Corridors will also reduce traffic on Ortega Highway which is not designed to handle the volume the other alignments will produce. |
| COREY JO ANN | 222 KNOLL LAKE MISSION VIEJO CA 92692 | General Comment | I wholeheartedly support the 241 South extension. It will provide some relief for the very congested I-5 freeway and provide an alternate route for south-bound traffic. |

MCCULLOCH
JENNIFER
31 AVENIDA
MERIDA
SAN CLEMENTE
CA 92673

General Comment As a resident of San Clemente and more over a resident/homeowner which is in one of the homes which would be demolished if the Pico route goes through, I urge you not to select the Pico route.

The emotional and financial impact you would have on myself and many other homeowners would be devastating. No human sacrifice should be made to proceed with this project, it's just not worth it. The toll roads you have now are not utilized as they were predicted and this project would be the same, costly and not solving the bigger problem. I-5 will still be the mainly used transportation passage and it would take decades to recover the costs of the toll road. I vote you do nothing with Foothill-South but trash the whole idea, and if it must go through then no families be displaced. We would never be able to continue living here if we lost our home, the cost and demand of 527 families looking for residents would make the market unbearable. Please consider this.

Sincerely,

Jennifer McCulloch

NEUKIRCH TINA
24662 DORIA
AVE
MISSION VIEJO
CA 92691

General Comment I am a resident of Aegean Hills in Mission Viejo. I am writing in regards to the Foothill Transportation Corridor-South project.

I am opposed to the option of widening the I-5 freeway. This will have a profound effect in our neighborhood, resulting in the destruction of many homes to accommodate the widening. The I-5 freeway next to our neighborhood was widened as a result of El-Toro-Y project this last decade. This project resulted in a doubling of freeway noise, and profoundly affected the quality of life in our neighborhood. After years of lobbying and negotiating, a soundwall to mitigate the noise from this freeway expansion is just now currently under construction. To further widen the I-5 freeway would displace many families from their homes, and increase the noise in the neighborhood of those families that remain.

I would like to see the eastern or central corridor options further explored, to minimize the traffic impacts on the city of Mission Viejo.

DOLKAS KELLY
2203 VIA
GAVILAN
SAN CLEMENTE
CA 92673

General Comment Dear Toll Roads,

I am 15 years old and I have lived in San Clemente all of my life, and it is my favorite place in the whole world. I love all the people I've grown up with and all the friends I've made, and I love San Clemente all together. Sadly, with all this expanding, it makes me not like it as much as I always have. Talega is just one example, its filled with hundreds of people and its been creating more traffic and more crowded places everywhere I go. I live off of Vista Hermosa, and when they opened that off and on ramp there, it made the traffic even worse. I can only imagine how much more a toll road going through San Clemente could do. The freeway itself already divides San Clemente, why add something else to divide it? I dont understand why someone would have the idea to build the toll road through San Clemente, someone might as well have the idea to build huge sky skrapers and make San Clemente a clone of L.A. So I'm just guessing whoever made this idea doesnt have little kids, or doesnt live in

San Clemente, because if they did, I dont think they would want to fill the roads up with traffic, the roads that we love to ride our bikes down on the way to the beach, the roads we take to slip in a quick surfing session during our busy days. So why fill those roads with more traffic, why divide San Clemente even more? Take the stupid Toll Road somewhere else thats already huge enough and expanded enough for the people who make ideas like this. All this expanding in San Clemente is a horrible idea, I love it just how it is, the way it been. Without over populated areas, without all the new people and houses they try to bring it. Its disgusting to look at traffic, its disgusting to look at houses upon houses. Please dont make San Clemente any different then it is. Please dont increase the traffic, and please dont build a ugly road that I am completely against, and then make me pay money to drive on it. Thank you

KUNKELMANN 2153 VIA AGUILA Project

If the toll road extension project absolutely had to be implemented, I can't see

DAWN

SAN CLEMENTE
CA 92673

Alternatives

using anything but the Far East Corridor FEC-M (violet on your maps). It would appear to have the least impact on both people and the environment. I am STRONGLY adverse to any central corridor selection. The hardship this would present to both residents and businesses of this area would be CRUEL AND UNUSUAL. The problems and lawsuits this would incur would appear to me to be prohibitive. I don't understand why it would even be considered and if it was in the works as a true alternative, why building and expansion and commerce in this area was allowed to continue.

I'll repeat, I don't think that the southern extension of the 241 toll road is necessary and isn't cost:benefit effective. However, if it is absolutely necessary, I don't feel that the Central Corridor in any version should be considered. Rather, the Far East Corridor Modified (violet) alternative should be considered the best alternative.

KUNKELMANN
DAWN2153 VIA AGUILA General Comment
SAN CLEMENTE
CA 92673

I would like to say that I don't see the necessity of extending the 241 tollroad any farther than it already exists. It doesn't appear that it is going to dramatically reduce traffic and will adversely affect both the people and the environment regardless of the route that is used. I just don't feel that the amount of traffic that it will divert warrants the massive disruption in the lives of people affected by this project. I would therefore like to see the project put on indefinite hold.

Growth Inducing
Impacts

In submission, I think this idea is terrible for the area, and would be a pointless investmenty for your company. How many places are you going to destroy before you realize the harm you are causing? Remember that for every mistake your generation makes, my generation has to fix it and if not we have to live with it. Please take my thoughts into consideration.

Cumulative
Impacts

I see absolutly no good outcomes to this road, it will bring too many people to San Clemente and the coast , and the side streets can not handle thatr traffic. San Clemente was not built to be a big city. The environmental harm will be irreversable and San Clemente will be ruined.

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

The air, noise, runoff, and other pollutants that will be increased with your road will ruin San Clemente and destroy our environment by adding unnecessary waiste

Traffic and
Circulation

I think the 5 freeway can not handle any more conjection that the toll road might add to it. It is already crowede enough and if you bring more inlanders to the coast, the traffic will be worse than LA.

General Comment

I am a college student at the University of San Diego. I grew up in San Clemente and my family still lives near the prospective toll road site. I understand that your company is looking to expand the roads, potential customers, and above all profit, but I believe this project will only restrict this growth. I think that this plan will have so many negative affects to the surrounding area including traffic problems, environmental harm, cumulative impacts, and growth inducing impacts, that toll road supporters will decline, people will stop using your services, and more restrictions will be put on the building of your roads. San Clemente is the last small town in orange county. It is a safe family town where everyone knows eachother, the streets are safe, and only one freeway passes through our quiet town. In the interest of this town and everything that makes it unique, I strongly suggest that you stop all plans for the San Clemente Toll Road. If this is not enough to convince you, rethink this plan to keep th

e numerous San Clemente Toll Road users who would end all business with you in protest to this road. Although I am currently a constant user of the 73 and other toll roads, I personally would never give a cent to your company again if any of these plans followed through. Many people live in San Clemente to be in a sleepy town and to be able to escape the city where they commute to every day via your services. Imagine the finacial impact it would have on you if you

were responsible for singlehandedly destroying San Clemente's small town feel. I am sure all of these customers would feel the same way I do when I say I love San Clemente for all it is. I appreciate the roads you have laid for us already, but if you plan on destroying all aspects of this town I love I will never do business with you or support another action of your company ever. Thank you for your time.

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| JANSEN SHARON | 4015 CALLE MAYO SAN CLEMENTE CA 92673 | General Comment | <p>This toll road has been too long in the making. I was 100% behind Alignment C in 1989 when there were only two alignments. Having been caught in a total shutdown of the Interstate 5 south of San Clemente many years ago, I want another route out of the city of San Clemente. In this new age of terrorism, it's now a critical move.</p> <p>Additionally, it will enhance the economy of this slow-growth community and possibly reduce ever increasing costs for services. Everything starts at home. Individual agencies don't seem to consider the impact of all the other agency increases – gasoline, gas, electrical, water, sewer, trash, licenses, permits and myriad taxes, to name a few. The Boston Tea Party may be on its way again.</p> <p>Please include my comments in support of the tollroad south – east alignment. It's long overdue.</p> <p>Thank you,</p> <p>Sharon Jansen</p> |
| TERRY ROBERT | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Project Alternatives | Vote no on Alignment 7/Avenida La Pata Variation and vote no on the Central Corridor/Avenida La Pata. |
| TERRY ROBERT | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Traffic and Circulation | Both of these alternatives would make traffic unbearable in a residential area. |
| TERRY LYNN | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Project Alternatives | Vote no on Alignment 7/Avenida La Pata Variation and vote no on the Central Corridor/Avenida La Pata. |
| TERRY LYNN | 40 AVENIDA CRISTAL SAN CLEMENTE CA 92673 | Traffic and Circulation | The building of either of these alternatives would adversely affect the traffic in residential neighborhoods and inexorably change the City of San Clemente for the worse. |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Land Use | Well designed, ecologically sensitive design could make this the "Hallmark" Hiway of the Western United States; while still perserving the unique environment of the Cleveland National Forest with little impact on existing residential development. |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Project Alternatives | Extend 241 from Bolero Hill, around Casper Wilderness Park, across SR74 to intersection of San Diego/Orange/Riverside County Lines, extend Eastward thru Tenaja Station past Squaw Mtn. to I-15(OR, thru White Oak Springs/Mud Springs to De Luz to I-15. (Or reasonable alternative(s)) |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Public Services and Utilities | This area WILL be developed in the not too distant future and should be considered at this point. |

W-32

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| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Energy | Future development of Power Generation Sites is almost unlimited in this area, utilizing current technology |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Military Uses and Camp Pendleton | Camp Pendleton is an absolute "treasure" and a necessity to our National Defense. The existing uses would not be, in any way, limited by this application; and, in fact, may well be enhanced. |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Growth Inducing Impacts | The growth of No. San Diego County, as well as the problems related to continued development of Orange County require some "out-of-the-box" imagination and intellectual consideration. We are headed for trouble unless an "Easery Configuration " is implemented. |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Hazardous Materials and Hazardous Waste Sites | Previously underdeveloped areas for well-designed waste management projects |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Traffic and Circulation | <p>In the event of any Major National Emergency - I-5 will be unavailable for Public Transit from Las Pulgas to Cristianitos - via Camp Pendleton or past San Onofre Nuclear Power Station (SONGS)</p> <p>I-5 is, at present, overwhelmed by the slightest "tie-up" and could not possible handle any increased load.</p> |
| DICKEY RICHARD K. | 215 VIA SAN ANDREAS SAN CLEMENTE CA 92672 | Coastal Zone | Reduce the impact on the already overloaded 1_5 corridor (check out any Sunday evening...!) |
| BRISLEN MICHELLE | 720 CAMINO DE LOS MARES SAN CLEMENTE CA 92673 | Recreation Resources | San Clemente has a lot of wonderful places to be proud of. A Toll Road would take the charm and beauty away. |
| BRISLEN MICHELLE | 720 CAMINO DE LOS MARES SAN CLEMENTE CA 92673 | Project Alternatives | In San Jose they have built a rail system that runs down the center of the freeways. Orange County could use an affordable and reliable form of public transportation. If we add roads or make them bigger and continue to build like we are doing, then the problem will never go away. Public transportation is the route to take. |
| BRISLEN MICHELLE | 720 CAMINO DE LOS MARES SAN CLEMENTE CA 92673 | General Comment | Why are so many homes allowed to be built if there is no traffic plan? This doesn't make sense. Why should we and the environment pay the price for other people's thoughtless decisions? Have a plan before there is a problem. |
| BRISLEN MICHELLE | 720 CAMINO DE LOS MARES SAN CLEMENTE CA 92673 | Growth Inducing Impacts | There are too many homes being built too quickly. Obviously, there is and will be a problem if we continue to let the developers get their way. We need to have more control. What about a growth limit. 1% each year would be nice. Many areas in the Central Coast and Northern California have a limit on development. Why don't we? |
| BRISLEN MICHELLE | 720 CAMINO DE LOS MARES SAN CLEMENTE | Hazardous Materials and Hazardous Waste | The run-off will end up in our creeks and ocean. We already have a problem. A Toll Road will make it even worse. |

CA 92673 Sites

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Historic and
Archeological
Resources

No comment at this time.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

Habitats will be effected thus creating even worse problem with bobcats, coyotes, etc. Also, hiking space will be destroyed by noise, ugliness, etc. Water quality is already bad in Dana Point and north San Clemente. Now it will be even worse and extend to the south. We get sick after surfing or swimming already.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673

Coastal Zone

No comment at this time.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673

Coastal Barriers

Barriers are a major eye-soar. They will make San Clemente look like a concrete jungle. I will move if San Clemente's charm is taken away.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Wild and Scenic
Rivers

San Clemente is one of the last coastal dreams of Southern California. A Toll Road will take away its uniqueness and beauty.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Threatened and
Endangered
Species

Habitats will be destroyed if a Toll Road goes in thus decreasing the population of many animals. All animals effect eachother so who knows what other animals will decrease or increase out of control.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Wildlife, Fisheries,
and Vegetation

It is so important that we keep our land and water free from pollution from Toll Roads. There is not a lot of native vegetation anymore. This land is a desert and we are turning it into a tropical area that is dependent on water. Where is the water? Also, wildlife will be drastically effected by a Toll Road. If they don't have the space they will either stop reproducing or become a danger to the people.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673Wetlands and
Waters of the US

Wetlands are very rare these days. If we keep destroying them by filling them or by polluting them, they will be a thing of the past. They are do delicate already. A Toll Road will surely destroy them.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673

Water Quality

Like I said before, we get sick from the water already. Doheney, Capo, Poche, North Beach are already consistantly polluted. If we add a Toll Road the run-off will make the south beach just as bad. We don't need any more run-off in our water.

BRISLEN
MICHELLE720 CAMINO DE
LOS MARES
SAN CLEMENTE
CA 92673

Air Quality

I flew in to LAX the other day and couldn't believe my eyes. The air pollution was so bad. Everyone on the plane were making comments on how terrible it was in LA. Are we going to look like LA? Probably! It is already difficult to see Catalina due to the air that drifts out to see.

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| PATTIN PAMELA | 114 VIA MIMOSA SAN CLEMENTE CA 92672 | General Comment | As a resident of San Clemente for the last 7 years I have seen a tremendous amount of growth in the city, both good and bad for the people of San Clemente. I am concerned that the Foothill-South project will only bring more of the bad to what is left of our beautiful Spanish town by the sea. We can make the right choice, preserve what is left of the good in our town and surrounding wilderness and stop the toll road. Is is not a solution that is welcome by my family - nor for the future of my children. |
| MIRZA CARRIE | 28 AVENIDA MERIDA SAN CLEMENTE CA 92673 | General Comment | As a homeowner potentially affected by the proposed toll road route, I am very concerned. Any project that would uproot the upwards of 600 homeowners in any given area, especially one that offers alternatives is of great concern. San Clemente, and especially our community within Villa Pacifica is a neighborhood of friends and family. No type of compensation could replace what we have found and invested in here. As I see it, existing toll roads are under utilized, and there is no proof that this particular route would change any of that. It would take decades to recover the cost of this project, not to mention the emotional costs for the families that would be displaced. Our children deserve to stay in their schools and grow in the communities in which we intended to raise them. There is not enough relocation space in this community for half of those displaced residents, or affordable options for many of us. I seriously urge you to honor our concerns and our investments in our futures - please do not bring the toll roads through our San Clemente neighborhoods. |
| JONES R. KEVIN | 5 PUERTO ROYAL SAN CLEMENTE CA 92672 | Project Alternatives | Pico alignment would be disastrous and should be abandoned. Environmental impacts of Eastern routes should be manageable with careful engineering for runoff etc. |
| JONES R. KEVIN | 5 PUERTO ROYAL SAN CLEMENTE CA 92672 | General Comment | Probably need an additional alternative way out of San Clemente in the next 5 years. The 5 is already overloaded. |
| JONES KRISTIE | 5 PUERTO ROYAL SAN CLEMENTE CA 92672 | Project Alternatives | The Pico alignment would tear our city in two and destroy too many homes. Please build an eastern alignment. |
| JONES KRISTIE | 5 PUERTO ROYAL SAN CLEMENTE CA 92672 | General Comment | We need an alternative route out of San Clemente. I support a toll road, but I oppose the Pico Alignment. |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Project Alternatives | STRONG PROTEST AGAINST Orange, Light Orange and Dark Orange and Blue, |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Other Section of EIS/SEIR | No Comment |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | General Comment | To Whom It May Concern: I am very, very disappointed at the wholly inadequate evaluation of the environmental impacts of the proposed project contained in the draft EIS/EIR. The environmental impacts will be dire and are inadequately considered in the |

documents. Perhaps more important than the effect on the natural environment is the incredible destruction to San Clemente and the quality of life for so many homeowners in the area. The EIS/EIR fails to properly evaluate the devastation to so many of us that live in the vicinity of the proposed roads. In particular, with the routes contemplated by the Orange, Light Orange, Dark Orange and Blue proposals. Noise pollution alone will have a profound negative impact on a large portion of the areas population. That impact needs to be better evaluated before this project can proceed. I strongly protest against approval of any of the variations until the EIS/EIR fully evaluate the negative impacts of all of the routes in accordance with California Law and Federal Law.

Though I will await this thorough review, it appears to me that the only routes that will end up being even marginally acceptable after such review is complete are the Lavender and Violet routes.

Montgomery B. Mars, ESQ.

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| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Growth Inducing Impacts | No Comment |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Cumulative Impacts | This new road will make San Clemente a much less desirable place to live and visit. |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | The proposal will destroy the way of life in San Clemente -- My strongest protest remains the lack of adequate consideration to the impacts of NOISE |
| MARS MONTGOMERY | 1312 VISTA PRADO SAN CLEMENTE CA 92673 | Noise | Many of the areas near the proposed constructions sights are highly populated and will become uninhabitable. The noise pollution caused by the proposals is not adequately addressed in the EIR/EIS!!!! |
| RAVERA LARRY | 2317 CALLE ALMIRANTE SAN CLEMENTE CA 92673 | General Comment | <p>To whom it may concern - While the need for improved transportation corridors is needed in south county I feel that the 241 extension alternatives listed are way off the mark. I have traveled the 241 many times on weekends and see that it gets very little useage and feel that it will not in any way alleviate the traffic problems on the 5 freeway, especially on weekends. Lets face it, the people that are using the 5 to travel south on Saturday and return north on Sunday are not going to pay to do so. Very few use it on the weekends at this point and those extra 12 - 16 miles aren't going to get used either. It is a complete waste of money. Let me quickly address the environmental and urban impact. 1 - the alternative routes that run into Christianitos road will surley ruin the Trestles surfing area that is used by many all year long. 2 - there is already traffic issues around the San Clemente High area as it is, to have the toll road dump into either Pico or Vista Hermosa/La Pata will not only impact traffic but also the safety of my and many others kids, as well as severely impact property values of the developments around this corridor. If you need an example just look at where the 73 south dumps into the 5 south, the development to the right has obviously been affected by that nice big connector ramp they get to stare at now. If you are going to do anything, widen the 5, the 241 toll road is a loser all the way around.</p> <p>thank you, Larry Ravera</p> |
| MEINHOLD FRANK | 404 CAMINO VISTA VERDE SAN CLEMENTE CA 92673 | General Comment | Writing on behalf of my family, we do not support any of the toll road options. We have stopped using the 73 due to the high tolls which seem to increase periodically. The South Orange County toll-road options will have a negative impact on our community either from the standpoint of disrupting |

neighborhoods/businesses or the wilderness areas. For example, the Pico alignments would be costly, take out hundreds of homes and businesses and won't alleviate the traffic at the junction of the I5 regardless of the studies seem to suggest.

The alignment 7 "La Pata Variation" is the most ludicrous of all the options. It is one of the most costly whose cost continues to rise monthly due to the increasing value of newly-built homes that will need to be removed. It will have little, if any, impact on traffic. The end effect will be the destruction of one of San Clemente's premier residential communities with the city losing 100s of thousands of dollars through lowered property values and property taxes.

The Fa

r East Corridor Modified option appears to be the best of all the proposed toll-road options since it skirts behind San Clemente in the undeveloped back country and yet bypasses the Donna O'Neil Conservancy.

We are in favor of the longer term option of widening the I5. This was successfully done in North Orange County; the same can be done for South Orange County.

WEAVER STEVE 4151 COSTERO General Comment
RISCO
SAN CLEMENTE
CA 92673

I am in favour of a route east to I-15.

I am in favour of widening the I-5 or Pico.

No I-5 to Basilone.

ROBINSON 780 CALLE Project
KATHLEEN VALLARTA Alternatives
 SANCLEMENTE
 CA 92673

I support FEC-M Purple alternative route, because it crosses the fewest nature preserves and does not cut through town. We desperately need traffic relief and accommodations for the ever-increasing housing MUST BE MADE. IT IS UNAVOIDABLE AND MUST BE FINISHED AT THE EARLIEST POSSIBLE DATE. If we allow development of land, then we must build infrastructure. If we didn't want the roads, then we should not have allowed the land development in the first place. Other alternative routes, especially the Pico route are really impossible, at this point, given the recent commercial and residential build-out along that exact route. It would also produce a huge confluence right in the middle of SC where there is NO WAY to accommodate a merge with I-5 of the magnitude that would be required.

I also feel that extra lane(s) are still needed through SJC - San Clemente. The toll road extension will NOT solve the WHOLE traffic situation in the south county area. Congestion is already a problem, due to the high number of off-on ramps in this stretch of road.

Thus I support an added I-5 lane, plus the Far Eastern Corridor Tollroad extension (purple)

Thank you!

ROBINSON 5907 E. VALLEY Land Use
BONNIE FORGE DRIVE
 ORANGE CA
 92869

Protect our wildlife areas. Once the roads are built, homes and businesses follow. We already have enough growth in Orange County. Please preserve the natural areas we have left, preserve our quality of life.

ROBINSON 5907 E. VALLEY Project
BONNIE FORGE DRIVE Alternatives
 ORANGE CA
 92869

No action; do not build.

ROBINSON 5907 E. VALLEY General Comment
BONNIE FORGE DRIVE
 ORANGE CA
 92869

I am against the building of the tollroad extension. I feel it will have an adverse effect on the environment and only draw additional traffic to the area.

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| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Growth Inducing Impacts | The extention will only draw more traffic and induce additional building in the area. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Cumulative Impacts | More road, more cars, more pollution, and a loss of wildlife and beauty. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Threatened and Endangered Species | Many of the species in this area are protected. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Wetlands and Waters of the US | Wetlands need to be protected. There are vey few successes with re-creation of wetlands. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Water Quality | Our water needs to be protected. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Air Quality | Tollroads will adversely affect the air quality. |
| ROBINSON BONNIE | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | Socioeconomics and Environmental Justice | An extention will attract more traffic and development which will cause our quality of life to deteriorate. We are already impacted by the numbers that live here. We are dealing with air, water, noise, and visual pollution. |
| ROBINSON DON | 5907 E. VALLEY FORGE DRIVE ORANGE CA 92869 | General Comment | I do not want another toll road because there are too many roads destroying the natural beauty of the hills in Orange county. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | General Comment | I don't believe we need any more toll roads or freeways in Orange County. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Growth Inducing Impacts | More tollraods only accelerates growth, because the developers first need approval of the tollroads to show that traffic will (supposed to be) mitigated, so that they then can go ahead with their mega housing developments, now highly overdone in Orange County. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Cumulative Impacts | Building more tollroads, especially the Foothills/South tollroad will have numerous negative cumulative impacts. |

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| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Traffic and Circulation | More toll roads and/or freeways do little to solve traffic problems because they just enable more housing and growth, which very quickly negates any advantages created by more lanes and toll roads. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Wild and Scenic Rivers | The construction and later use of the Foothills/South Tollroad will threaten San Mateo Creek. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Threatened and Endangered Species | The construction and later use of the Foothills/South Tollroad will threaten already threatened and endangered species in the area. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Wildlife, Fisheries, and Vegetation | The construction, and later use of the Foothills/South Tollroad will threaten wildlife and fisheries in the area. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Wetlands and Waters of the US | Building more toll roads, especially the foothills/south tollroad will threaten the health of wetlands, and the ocean near the mouth of San Mateo Creek, and San Onofre Beach. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Water Quality | Building more toll roads, especially the foothill/south toll roads will harm water quality, first during construction and the close proximity to San Mateo Creek, and later due to oil and other toxic runoff from vehicle traffic. |
| HARTMAN RANDY | 2938 CALLE FRONTERA SAN CLEMENTE CA 92673 | Air Quality | More toll roads in Orange County will only worsen air quality. |
| GELLATLY JUDITH | 108 CALLE BELLA LOMA SAN CLEMENTE CA 92672 | General Comment | We definitely need a new road to eliminate the heavy traffic on I-5. However, the plan to use Pico does not seem to eliminate the entire problem. What would the traffic be like from Pico going south? The traffic on the Pico on and off ramps is very busy now. I feel the FEC-M would be the best solution. |
| HARHAY TOM | 14 BETHANY LAGUNA NIGUEL CA 92677 | Public Services and Utilities | As a Captain Paramedic working in the City of San Clemente, I would like to make sure access and egress for emergency units are incorporated in the plan. Dont forget the emergency roadside phones this time like they did on the 73 tollroad when it was originally built. Thank you. |
| HARHAY TOM | 14 BETHANY LAGUNA NIGUEL CA 92677 | Traffic and Circulation | Just look on ANY day the 5 fwy in and around San Clemente. We need an alternate way to get around |
| HARHAY TOM | 14 BETHANY LAGUNA NIGUEL CA 92677 | General Comment | Yes put the toll road through to the 5 at Camp Pendleton |
| BAXTER WALT | 6 CAMINO SILLA | Threatened and | A week ago, San Clemente's mayor proclaimed that the most endangered |

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| | SAN CLEMENTE CA 92623 | Endangered Species | species in the way of the TCA plan are humans (referring to the central corridor plan and subsequent razing of homes). I couldn't disagree more--putting the inconvenience of hundreds of people ahead of the wipeout of some of the last remaining wild areas in Southern California is ridiculous. There is absolutely no doubt in my mind that this toll road, in any configuration, will negatively impact my quality of life as a San Clemente resident by killing off threatened and endangered species--without appreciably improving my daily commute on Interstate 5. Endangered species aren't always pretty, they can't hire lawyers, and they can't keep us from urinating in the bathwater as proposed here, but I recommend that the TCA abandon this project in its entirety through this environmentally sensitive region. |
| BAXTER WALT | 6 CAMINO SILLA SAN CLEMENTE CA 92623 | Coastal Zone | We chose to raise our son in this area because it seems unspoiled and maintained a part of old Southern California. We enjoy hiking and biking near the coast and consider San Clemente a crown jewel of the Southland. We particularly enjoy touring the land conservancy and riding mountain bikes through the chapparal. As a taxpayer, local resident, and beach lover, I strongly urge the TCA to abandon all alternatives and leave this beautiful land along the coast in the condition that it is in now. Development has certainly changed it, let's not push the situation over the cliff with a large road and the associated environmental impacts. |
| BAXTER WALT | 6 CAMINO SILLA SAN CLEMENTE CA 92623 | Affected Environment, Environmental Consequences, and Mitigation Measures | The repeated denial of significant environmental impacts to the Trestles watershed by TCA environmental engineers is appalling and should be countered by experts on the other side of the argument. To say that there will be "no impact" on the waters off Trestles with an Eastern alignment is certainly sticking one's head in the sand. I invite that environmental engineer to join me sunbathing at Poche beach any Saturday afternoon. We'll regal in the lovely weather and enjoy the pretty yellow signs warning of high bacterial counts from runoff from South County roadways. Why contribute to this problem more with an additional road? It makes no sense to me to build a major road connection so close to so many sensitive environmentally sensitive areas--areas where my family and I live and play. I wholeheartedly disagree with the project and hope that it is abandoned on the grounds that the area here is too sensitive to ruin with a major roadway. When Talega built gobs of homes here, the city collected tons of taxes to "pay as you go" environmentally. Who pays as you go for the TCA when the TCA goes broke? |
| BAXTER WALT | 6 CAMINO SILLA SAN CLEMENTE CA 92623 | Traffic and Circulation | I have lived in San Clemente for six years and commute to work in Irvine/Santa Ana like most of my neighbors. I feel that traffic circulation in the north-south direction would be dramatically improved by implementing the currently on-hold plan to build La Pata through to Antonio Parkway. I will NEVER use a toll road that takes me to Eastern Orange County and neither will any of my neighbors seeking routes to Irvine and Tustin--where the industry is for South County workers. I strongly urge, as a taxpayer and local resident, that the TCA abandon this effort for ten years and wait for the Interstate 5 debacle that they have been predicting for ten years to materialize. I fear the non-compete clause that TCA will enforce disallows improvements to my main route to work, the one that I will continue to use regardless of what the TCA does with this project--Interstate 5. |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Recreation Resources | See above |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Paleontological Resources | see above |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Mineral Resources | see above |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | General Comment | The tollroad is a nightmare. Noise traffic and pollution. Fiscally ridiculous. Just look at the other tollroads. |

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| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Earth Resources | see above |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Visual Resources | visual pollution of this beautiful area is reprehensible |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Cumulative Impacts | Impact is negative on all resources. |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Historic and Archeological Resources | We have so few resources left that it is not in the best interest of mankind to recklessly destroy. |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Wild and Scenic Rivers | See water pollution |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Threatened and Endangered Species | See above |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Wildlife, Fisheries, and Vegetation | the devastating impact on wildlife is unconscionable!!! |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Wetlands and Waters of the US | See above comment |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Water Quality | Beaches in this area are already some of the most polluted in Orange Co. |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Air Quality | do we really need more hydrocarbons in the air? |
| RICHARDSON JOAN | 106 DEL GADO S C CA 92672 | Noise | already too noisy from I5. Increasing levels of noise pollution in an eco sensitive area. |
| WALTER SARA | 1536 WYCLIFFE IRVINE CA 92602 | General Comment | I moved to Orange County three years ago from Chicago. Even coming from a big city with bad traffic, I find the traffic in OC to be awful. My husband and I do everything we can to avoid traveling on freeways and tollways. Something needs to be done, and extending the tollroad to I-5 is a good first step. I love animals, I recycle everything I can, but I understand the need for more roads in OC if only to accomodate the large number of people who already live here, let alone the ones who will move here in the future to partake in our beautiful beaches and hills. |
| PRICE REED | 223 TRAFALGAR SAN CLEMENTE CA 92672 | General Comment | Please build the Foot Hill South toll road meeting the 5 south of San Clemente, because it is much needed. San Clemente is a bottleneck on the 5 in both directions |
| MCCRACKEN | 607 VIA | Project | Whatever you do, DO NOT RUIN SAN CLEMENTE! Anyone considering this |

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| BRIAN | GOLONDRINA SAN CLEMENTE CA 92673 | Alternatives | as an alternative, has not truly experienced this town. This unique town is prized by not only its residents, but everyone in Orange County, in California, and in the rest of the country for that matter. It is a classic small beach town, and AN AMERICAN ICON. Any additional traffic either channeled into this town, or through it, will desecrate a beautiful area, pollute a pristine green belt/bird conservatory, ruin some of the best views in California, decrease property values, and certainly trigger a rash of nasty and expensive law suits. Mine for one. |
| MCNULTY LINDA | 60 VIA SONRISA SAN CLEMENTE CA 92673 | Noise | I moved to San Clemente specifically for the peaceful and quiet days and nights. With the Pico alternatives it would make my life terrible. |
| MCNULTY LINDA | 60 VIA SONRISA SAN CLEMENTE CA 92673 | Project Alternatives | I am very much opposed to all the Pico Alternatives. My home is right in the path of the alternative. I do not think it is right to tear down houses or make life unbearable for those homeowners (noise pollution, etc). Humans need to be higher up on the endangered species list. |
| MCNULTY LINDA | 60 VIA SONRISA SAN CLEMENTE CA 92673 | Traffic and Circulation | The Pico Alternatives would not make traffic any better, probably worst in the San Clemente area. |
| MCNULTY LINDA | 60 VIA SONRISA SAN CLEMENTE CA 92673 | Air Quality | The pollution would increase with dust and dirt on our houses if the Pico alternative was used. |
| MCNULTY LINDA | 60 VIA SONRISA SAN CLEMENTE CA 92673 | General Comment | I think the only route for the toll road should be the one that lets out on to the San Diego Fwy at the southern most point. |
| PRICE JUDY | 223 TRAFALGAR SAN CLEMENTE CA 92672 | General Comment | I strongly favor extending the 241 to a terminus with the I5 south of San Clemente. |
| | CA | Affected Environment, Environmental Consequences, and Mitigation Measures | I have attended two local meetings and have been disappointed at the "tone" of them. My feeling is that the meetings were held to comply with the letter not the spirit of the law - the "tone" has been "The extension WILL be built! Here are some possible routes. "You may comment if you wish." |
| | CA | Project Alternatives | The Money should be put into enhancing general traffic infrastructure (extending surface roads like extending Laplata to provide same route to Ortega highway and Toll Road) |
| | CA | Traffic and Circulation | The impact on local traffic and quality of life that would be caused by any of the proposals except FEC-M (I understand that route has Environmental Problems) is unacceptable - and the fact that they have been proposed is troubling. |
| | CA | General Comment | This Southern extension of the Toll Road should not be built and this note is being sent to state my position. |

There seems little motivation for any of the Toll

Roads except profit by the promoters - while it is agreed that any road at some point in time can be a nice convenience on a given day the Toll fees do not make sense - the system seems to be losing money and this extension seems to be heading for the same fate.

CROSBY JERRY 129 CAMINO
SAN CLEMENTE Project
SA CLEMENTE Alternatives
CA 92672

Do not bring this road into I-5 At Ave.Pico!!!

This intersection is already impacted. This alternative will bring congestion into S.C and it should be south of S.C.

CROSBY JERRY 129 CAMINO Traffic and
SAN CLEMENTE Circulation
SA CLEMENTE
CA 92672

Pico Intersection is already impacted. New development at Marblehead will make it worse ENVEN WITHOUT THE TOLL ROAD

CROSBY MARGARET 129 CAMINO Project
SAN CLEMENTE Alternatives
SAN CLEMENTE
CA 92672

I oppose the toll road coming into san clemente at ave. pic I am against the toll roads in and /or around san clemente. I feel it should go east from oso parkway wver the mountains to I-15 . Our village by the sea and the best climate in the world is being destroyed by delveopers and road expansion.

CROSBY MARGARET 129 CAMINO Traffic and
SAN CLEMENTE Circulation
SAN CLEMENTE
CA 92672

Ave. Pico is a havelly impacted area. Loss of business place and homes should be a factor. The toll road does not belong in this area or in san demnte at all.

CROCKETT CHARLOTTE 2003 PASEO Project
LARO Alternatives
SAN CLEMENTE
CA 92673

Again, I am opposed to the toll road extension. If the developers win, and the toll road is built, then I would favor the route through Camp Pendleton. I am especially opposed to the Pico route, which would still further exascerbate the traffic problems in San Clemente.

CROCKETT CHARLOTTE 2003 PASEO General Comment
LARO
SAN CLEMENTE
CA 92673

I am opposed to the construction of the toll road extension. Rather than present a solution to traffic over-crowding, it will present opportunities for developers to build even more homes and businesses in what are now open spaces.

MARVIN PAT 616 CALLE Project
FIERROS Alternatives
SAN CLEMENTE
CA 92673

I have great concern in and Project Alternatives that would connect the Toll Road at Ave Pico (A7c-ALPV, CC-ALPV) for the following reasons:

1. This area is already heavily congested with traffic
2. The negative impact on homes, businesses and schools would be significant

As we can't stop the developers from building homes on every available piece of open land, we need to have roads to accommodate the massive influx of drivers. This makes the Toll Road expansion inevitable. It is CRITICAL we look at locations that are LEAST disruptive to people, homes, schools, businesses. This appears to be FEC-M, which would be my vote (were we given the ability to vote).

General Comment I think that given the current traffic problems along the I-5 and the surrounding roads, the final solution needs to incorporate 241 going from its current point, all the way through to Basilone Road. Anything less would be a waste of time and especially money. Of all the solutions it would seem that (FEC-W) would be the most direct and therefore the most cost effective solution.

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| Land Use | The beautiful "Tuscany-like" view would be destroyed in this area of Avenue Pico. I recently purchased my home solely for this view and I do not want it destroyed by the 241 Toll Road expansion down Avenue Pico. |
| Project Alternatives | I would prefer that the 241 Toll Road utilizes Pendleton. |
| General Comment | I am against the expansion of the 241 Toll Road down to Avenue Pico in San Clemente. |
| Visual Resources | As I mentioned earlier the visual resources of this beautiful "Tuscany-like" sector of Avenue Pico would be destroyed beyond words. |
| Cumulative Impacts | In summation, the cumulative impact will be devastating. The Avenue Pico stretch of a 241 Toll Road extension would impact it visually, its air quality, increase noise, destroy the ocean and canyon views, lower property values, impact the safety of the SCHS students, impact businesses, and literally turn this area on Avenue Pico into a sea of concrete. I do not favor the expansion of the 241 Toll Road down Avenue Pico in San Clemente. |
| Traffic and Circulation | A 241 Toll Road to Avenue Pico would be a living nightmare for the residents of Marblehead, Broadmore, Santa Margarita tracts and other near-by residents, San Clemente High School, and businesses. |
| Air Quality | The air quality will surely worsen greatly and I do not welcome that. |
| Noise | An expansion of the 241 down Avenue Pico would greatly increase the noise level. Do the math!!!!!! |
| Pedestrian and Bicycle Facilities | These will be greatly reduced if the 241 traverses Avenue Pico. I am also very, very concerned for the hundreds of San Clemente HS students that use Avenue Pico. |
| Recreation Resources | No Comment |
| Project Alternatives | As communicated, San Clementeans are fed up with the I5 congestion. However, if the alternative of a 6 lane La Pata extension to San Antonio Parkway was clearly communicated as a viable alternative to the I5, their views would definitely be altered against a toll road endorsement. |
| General Comment | As a San Clemente resident I've never been questioned or polled on the Subject of the Tollroad or its feasibility to San Clemente. As a result I have to question the validity of the poll results. Another poll should be conducted given the current financial condition of the existing tollroads. Additionally, the anticipated fees for using the new roads shall be clearly communicated in the poll questions. Obviously, the cost of using the toll road will directly affect the results of the poll. |
| Growth Inducing Impacts | Growth is going to increase by orders of magnitude. This project benefits only developers. Look at the existing toll roads, not only are they one step above junk bond status and losing money, but developments are popping up on both sides and only increasing congesting. The only ones using the toll roads now are those forced to use it to get to the free. This is joke. Congestion on the local |

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roads and interstates haven't improved with the existing toll roads. I suggest that if the developers want access to the undeveloped property that they pay for it and use the state, county and city processes for achieving it.

Cumulative
Impacts

No Comment

Hazardous
Materials and
Hazardous Waste
Sites

No Comment

Affected
Environment,
Environmental
Consequences,
and Mitigation
Measures

Houses, houses, development, development and more development. That is the only thing the tollroad is going to accomplish. Nothing else.

Coastal Zone

Doesn't the impact to the beautiful ocean mean anything to the city, county, or state?

Traffic and
Circulation

The stated toll road project and the alternatives will nothing to relieve congestion for the San Clemente resident. On the contrary, the tollroad will simply provide access to developers for lands not currently accessible. Once developed, the congestion in a beach community such as San Clemente will only increase, not decrease. If the land bordering (within 1 mile on each side and extending to Rancho Santa Margarita) the tollroad were made a permanent "preserve" and off limits to all future development, then one could argue congestion may be reduced. However, given the economics this is feasible. The alignment of La Pata with San Antonio Parkway and connecting with I5 at Christianitos (and leaving Pico as is) is more feasible. This will provide the San Clemente resident an alternative to the I5. The primary beneficiary of the tollroad are those commuters wishing to commute from LA Basin to areas south of Oceanside. To do this San Clemente is the choke point. A much more feasible alternative would be t

o provide a direct link between the I5 in San Juan Capistrano and the I5 near Lake Elsinore. The Ortega highway is currently under developed and creates significant road hazards for those wishing to commute.

Threatened and
Endangered
Species

No Comment

Wildlife, Fisheries,
and Vegetation

No Comment

Wetlands and
Waters of the US

Given the new requirements for storm water runoff, what is the plan for contending with pollution of San Onofre Beach and more specifically the world renowned Trestles Beach.

Noise

Although the tollroad is not going to be economically successful let's assume that it is, take a minute to stand by the I-5 at a mile away. Noise noise noise.

Socioeconomics
and Environmental
Justice

Only the rich developers are going to prosper with the toll road. Existing evidence of past performance clearly points to failure of the toll road system. The entire economic issue is going to end up in court when the toll roads are

determined to be economically unfeasible and the taxpayer is asked to foot the bill. This is a travesty of the economic system as it relates to the state taxpayers.

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|-----------------|--|-------------------------|--|
| DAVIS LORI | 123 AVE SAN DIEGO SAN CLEMENTE CA 92672 | Growth Inducing Impacts | Building the toll road on any of the planned routes will increase development without offering true relief for north/ south traffic. |
| DAVIS LORI | 123 AVE SAN DIEGO SAN CLEMENTE CA 92672 | Traffic and Circulation | A better alternative would be to parallel the 5 with a toll road connecting the 15 near Riverside to the 76 or 78 near Oceanside. |
| DAVIS LORI | 123 AVE SAN DIEGO SAN CLEMENTE CA 92672 | General Comment | None of the toll road proposed routes provide a true north/ south alternative to the 5. All proposed routes empty onto the 5 above Pendelton, offering no detour incase of sig alert or emergency (ie San Onofre). |
| NEWSOM DARYL | 5753G E. SANTA ANA CANYON RD., #2600 ANAHEIM CA 92807 | General Comment | <p>Extending the 241 toll road south is an absolute necessity for Orange County. Interstate 5 is the only highway route that is available to travel to the Southern part of the County. It is necessary for the 241 to intersect I5 South of San Clemente to alleviate congestion through San Clemente and San Juan Capistrano. If the 241 is not extended traffic problems and gridlock will continue to grow and will spill over on to surface streets. Not building the 241 extension will negatively affect the quality of life in Orange County.</p> <p>While building the Northern portion of the 241 experienced learning problems with wildlife and other situations, lessons have been learned and the extension can be built to preserve flora and fauna. The extension can also be built to have a minor impact on the pristine area where it must pass through.</p> <p>I am strongly in favor of FEC-M, FEC-W or A7C-FEC-M corridors. The 241 extension must intersect Interstate 5 South of San Clemente!</p> |
| ROMANO ANN | 34611 CAMINO CAPISTRANO CAPISTRANO BEACH CA 92624 | General Comment | I support the toll-road completion. Anyone who drives the southbound 5 during the weekends (and more often even on other afternoons) notices the almost continual significant back-up from Irvine and points north. This situation is now causing back-ups on southbound Coast Highway and a noticeable increase in traffic on surface streets in Capistrano Beach. What folks may not realize is that this traffic is mostly people traveling THROUGH Orange County to San Diego and points south. Contrary to the myth that allowing more roads will bring more people, several of the alternative alignments will actually divert traffic around south Orange County (with appropriate environmental mitigation). That's why we need to complete the toll road network as it has been envisioned for the last 20 years and take some traffic off our key freeway, the 5. |
| SCHONIG JOAN | 131 CAMINO SAN CLEMENTE SAN CLEMENTE CA 92672 | Project Alternatives | I would prefer the extension of 241 toll road to bypass the suggested ave. pico route and extend south of san clemente merging with basilone road. |
| SCHONIG JOAN | 131 CAMINO SAN CLEMENTE SAN CLEMENTE CA 92672 | Traffic and Circulation | I do not feel it would be wise to extend 241 using the ave. pico route because it would up route to home oners, businesses, schools, etc. |
| MCGEAGH BARBARA | 4139 COSTERO RISCO SAN CLEMENTE CA 92673 | Noise | Noise from traffic in residential areas bound to affect quality of life and property values. Strongly oppose these alternatives. |

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|--------------------|---|--|---|
| MCGEAGH BARBARA | 4139 COSTERO RISCO SAN CLEMENTE CA 92673 | Socioeconomics and Environmental Justice | Oppose alternatives impacting city of San Clemente and others financially, as well as existing homeowners and businesses. Substantial investments in purchase of residential homes, plus improvements would dramatically decline with toll road proximity...if they weren't removed. |
| MCGEAGH BARBARA | 4139 COSTERO RISCO SAN CLEMENTE CA 92673 | Project Alternatives | Eastern options highly preferred to arterial improvements, 1-5 widening, or construction of three Central plans (Central Corridor, Central Corridor La Pata variation, A-7 Avenida La Pata) |
| MCGEAGH BARBARA | 4139 COSTERO RISCO SAN CLEMENTE CA 92673 | Traffic and Circulation | Traffic improvement greatest with least projected expense in Eastern alternatives, and least impact on existing homeowners, businesses and cities. |
| MCGEAGH BARBARA | 4139 COSTERO RISCO SAN CLEMENTE CA 92673 | General Comment | Opposed to any option in central area - Central Corridor, La Pata Variation or A-7 Avenida La Pata. Prefer A-7 Far East or Far East (West) which reflect lower costs and greater relief of traffic congestion, while being conscientious of environmental impacts. |
| | | Recreation Resources | Accessing schools and parks will be more difficult with added traffic. This will also cause added safety issues. |
| | | Public Services and Utilities | Accessing schools and parks will be more difficult with added traffic. |
| | | General Comment | The toll roads that are drawn or planned to connect to Avenida Vista Hermosa will negatively affect the community in numerous ways and should not be considered. |
| | | Visual Resources | The views and aesthetic beauty in the Marblehead will be negatively affected by any toll road. |
| | | Cumulative Impacts | <p>The addition of toll roads have various cumulative impacts to the area. For most, the impacts are negative. The toll increase safety issues with added traffic, especially with little children in the area. (i.e. Marblehead Parks and Elementary School). The toll roads increase air pollution and drastically increases noise levels. The toll roads will severely effect home values. People like me and my neighbors have bought into a planned community close to a major freeway, but relatively removed from it. It wasn't designed to handle the added noise, pollution, and traffic the toll roads will bring. Adding toll roads will severely impact my community's way of life.</p> <p>My wife and I worked hard to buy into an area that will allow us live in San Clemente at an affordable price. As a teacher and stay-at-home mom, we cannot afford to move. Until now, we thought we were settled. We have two little boys (2 years and 7 months). When we think of the added traffic and noise that toll roads will add, our expectations for the future are severely affected. Please reconsider adding the toll roads anywhere near Vista Hermosa!</p> |
| | | Traffic and Circulation | Traffic will increase through Vista Hermosa, a street that runs by a public park and school, Marblehead Elementary. |
| | | Air Quality | Air quality will be negatively affected by increased traffic, especially near public |

parks, elementary schools, and the high school.

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|-------------|---|---|---|
| | | Noise | The noise for homes in the area of Marblehead are already affected by the 5 Freeway. A toll road will make the noise levels dangerous. |
| | | Pedestrian and Bicycle Facilities | The bike trails and pedestrian walkways that run along Vista Hermosa will be negatively affected. Increased traffic has already made safety an issue. The toll road will only make the situation worse. |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Land Use | NA |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Project Alternatives | While I am strongly opposed to project at all, the only alignments that I think are viable and reasonable are the Violet and Lavender routes. Even these will need to be better evaluated for significant negative impacts before this project can be approved. |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | General Comment | Strongly opposed to this project in any form. IN particular, opposed to the Orange, Light Orange, Dark Orange and Blue. Impact to residents based on noise alone will be horrible. These impacts are not properly addressed in these documents!!!!!!!!!!!! |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Visual Resources | NA |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Cumulative Impacts | See above |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Affected Environment, Environmental Consequences, and Mitigation Measures | NOISE |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Wildlife, Fisheries, and Vegetation | NA |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Wetlands and Waters of the US | NA |
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Air Quality | The impact On current residence based on impact on air quality is also an impact insufficiently addressed in these documents. |

| | | | |
|---------------------|--|----------------------------|--|
| TONG THALIA | 2826 CANTO NUBIADO SAN CLEMENTE CA 92673 | Noise | The impact on current residence based on noise pollution is an impact insufficiently addressed in these documents. The impact will be SEVERE |
| LARSON KEVIN | 2207 VIA HOMBRE SAN CLEMENTE CA 92673 | Growth Inducing Impacts | Population growth will continue and with it the demand for housing. We must make wise choices to complete the 241. I support any of the far east corridor alignments and am opposed to widening the 5 fwy or any other alignment including the no build options |
| LARSON KEVIN | 2207 VIA HOMBRE SAN CLEMENTE CA 92673 | Cumulative Impacts | no comment |
| LARSON KEVIN | 2207 VIA HOMBRE SAN CLEMENTE CA 92673 | Traffic and Circulation | <p>I support any of the far east corridor alignments</p> <p>(modified, west or crossover modified. I oppose widening the 5 fwy or the other alternative routes including the no build option. Housing is a necessity and is in high demand. People and houses will come, so we must make wise choices now to maintain the quality of life.</p> |
| LARSON KEVIN | 2207 VIA HOMBRE SAN CLEMENTE CA 92673 | General Comment | <p>I support any of the far east corridor alignments</p> <p>(modified, west or crossover modified. I oppose widening the 5 fwy or the other alternative routes.</p> |
| WALTMAN MARVIN | 105 CALLE CAMPO SAN CLEMENTE CA 92672 | Traffic and Circulation | I feel it would be irresponsible to not complete a route, toll or free, that would bypass San Clemente and offer an alternative without splitting the city into more sections. Environmental concerns are worthy of consideration but not sufficient to cancel the project. There IS a need. |
| FLETCHER ERIC | 21661 BROOKHURST ST APT #138 HUNTINGTON BEACH CA 92646 | General Comment | I am very concerned about the disastrous consequences that will be caused by completing any of the proposed extensions of the 241 toll road. With so little open space left in Orange County, it is irresponsible to build a road through a land conservancy and state park which house many endangered species. I am also particularly disturbed by the proposed destruction of a minimum of 23.1 acres of coastal wetlands. Also disturbing is the fact that widening the I-5 freeway is the least destructive and most effective measure according to your own literature. Please do the responsible thing and listen the community. Please protect our last bit of open land that is enjoyed by so many residents and visitors each year for its natural beauty. |
| LOBO CHRISTOPHER | 31411-A LA MATANZA SAN JUAN CAPISTRANO CA 92675 | Project Alternatives | <p>August 6, 2004</p> <p>3:00PM (PST)</p> <p>Transportation Corridor Agencies</p> <p>Ms. Macie Cleary-Milan, Deputy Director</p> <p>Environmental Planning</p> |

125 Pacifica
Irvine, CA. 92618-3304

Re: South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Phase I Archaeological Inventory, prepared by Greenwood and Associates and the SOCTIIP Draft EIS/SEIR, Executive Summary, Section 4.16 of the EIS; Section 7.17.2 of the EIS; and Section 8.16 of the EIS.

The Juaneño Band of Mission Indians, Acjachemen Nation (the "Tribe"), a State-recognized Native American Indian tribe, and the indigenous people of Orange County and surrounding areas including but not limited to the proposed project areas, submit the following comments to the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) on the above referenced SOCTIIP Draft ("EIS/SEIR")

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er A. Lobo-Sec./Tres., Fran Yorba-Member at Large, Andy Cole- Member at Large we find the EIS and Technical Report provide insufficient factual evidence for conclusions concerning the archaeological and cultural resources that will be destroyed by project implementation. Most disturbing is the lack of recognition of the significance of the San Mateo Archaeological National Register District and lack of direct tribal consultation with the listed Tribal Government who represent living descendents of the village site of Panhe (the project area). It is further evident that substantial documentation listed as the site being important to the tribe is left out of all parts of both the Technical Report and the EIS.

The proposed Project as it relates to the described areas will have numerous significant impacts to cultural resources located within the Project area as stated in the Draft EIS/SEIR. An Acjachemen Village, Panhe, designated archaeological site, is within the Project area and will be significantly impacted. Acjachemen burials are located on this site within the Project area and have the potential of significant adverse impacts.

The Acjachemen Village of Panhe (CA-ORA-22) is located in the San Mateo Archaeological District, is a Registered Resource in the NRHP, and is a significant cultural resource and property to the Acjachemen Nation that will be significantly and adversely impacted by the proposed project.

- Let it clearly be defined and acknowledged that in sections ES.6.18.3. of the report states that "...all the SOCTIIP build alternatives are assumed to result in potentially significant adverse impacts under CEQA related to archaeological and historic resources that cannot be mitigated to below a level of significance." The tribe concurs with this statement and believes that adverse impacts will be unavoidable.
- Section 4.16 does not mention this National Register District, despite its significance. The discussion of sites listed on the National Register of Historic Places, and the summary tables, are misleading.
- The San Mateo Archaeological District is not one site, as stated in the document and tables, but consists of seven archaeological sites, each of which is a contributing element to the National Register District. Since the document measures significance of impacts for a particular alternative by the number of sites that would be impacted, minimizing the number of National Register properties is a strategy that appears to be designed to select a particular alternative.
- There is no discussion in the EIS about TCPs, or about the status of Panhe as a TCP. Panhe is listed by the Native American Heritage Commission as a Sacred Lands site. National Register Bulletin 38 has substantial guidance on evaluating TCPs, and should have been used by the consultant in their evaluations.
- The "Request for Determination of Eligibility" for the San Mateo Archaeological District, encompassing sites ORA-22, SDI-4284, SDI-4535, and SDI-8435 (Romani 1981), provides important information about the site ignored by the EIS preparers. There are 11 additional cultural places that are eligible for the NRHP that will be significantly and adversely impacted by the proposed project.
- There are numerous documented burials within the study area that will be significantly and adversely impacted by the proposed project.
- There are prehistoric burial grounds and established reburial grounds within

W-35

the study area that will be significantly and adversely impacted by the proposed project.

- The Acjachemen Nation requires direct consultation under Section 106 of the NHPA with the Lead Agencies and the CA SHPO to enter into the agreement process to preserve Acjachemen NRHP Registered and eligible sites, burial grounds, traditional cultural properties, and cultural and historical resources.

- The Acjachemen Nation requires direct involvement in mitigation measures especially Measure AR-4 and the addition of a mitigation measure featuring Acjachemen Native American monitors during ground disturbance and construction activities.

- Public accessibility to currently isolated archaeological sites will allow the possibility of and subject to robbing of graves and traditional cultural properties.

- The Acjachemen Nation has not yet been contacted or engaged in dialogue with the Lead Agencies regarding this proposed project and is requesting immediate conference with the Lead Agencies to resolve potential significant, adverse, and irreversible impacts and damage on Acjachemen, Federal, and State historic, cultural, and archaeological resources.

The Juaneño Indians believe this to be a sacred area; Greenwood and Associates (pg.4-8 through 4-9) quote Romani (1981) at length in their ethnographic section:

1. Panhe was the location of the first close contact between our Tribal people and Europeans, when Spaniards of the Portola expedition camped at a spring in the vicinity during July 1769. Prior contacts had been limited by the fact that the Spanish were traveling at sea by ship. The contact event is memorialized from the white perspective as the occasion for the "first baptism in California."

2. A burial was discovered during construction, and was preserved essentially in situ by Caltrans and the Juaneño. The Tribes traditions hold places of burials to be sacred, and their beliefs do not allow for the removal of human remains or any associated personal belongings from their original place of interment. The Tribe considers it inevitable that there are additional burials on the site, increasing its sanctity.

3. Earliest mission records document that Tribal (Juaneno) people from Panhe were among the largest population of Indians to be taken from their homes for the purpose of constructing the Mission San Juan Capistrano and developing the ranches of the area....The descendants of the Juaneño people from the village

of Panhe are even today still active members and leaders (Tribal Council) of the tribe both culturally and politically.

4. As the physical location of a village within the Tribes traditional tribal area, it is essential evidence of our culture and has significance distinct from any scientific value it may or (because of historic disturbance) may not have. The Tribe recognizes this site as sacred to our people and will be adversely affected by all proposed plans. This location remains current with demonstration of activity with the Tribe and Camp Pendleton Marine Corps Base through access, ceremony, song and education. The known presence of burials at the site elevates its importance beyond any possibility for impact mitigation.

Native American consultation did not include descendants of Panhe, or the listed (above) Tribal Council, nor did it recognize that the NAHC has listed it as a Sacred Lands site. Consultation should be reinitiated with knowledgeable Native America descendants from Panhe and

consultants familiar with tribal issues.

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In closing, we the tribe remain firm in exercising our sovereign rights in protecting our people while preserving our few remainin

W-35

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Respectfully,

Christopher A. Lobo
Secretary/Treasurer, CFO
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CC: Marine Corps. Camp Pendleton
Native American Heritage Commission (NAHC)
California State Histori

LOBO
CHRISTOPHER

31411-A LA
MATANZA
SAN JUAN
CAPISTRANO CA
92675

Other Section of
EIS/SEIR

August 6, 2004

3:00PM (PST)

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA. 92618-3304

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Respectfully,

Christopher A. Lobo

Secretary/Treasurer, CFO

Juaneño Band of Mission Indians,

Acjachemen Nation

CC: Marine Corps. Camp Pendleton

Native American Heritage Commission (NAHC)

California State Histori

LOBO
CHRISTOPHER

31411-A LA
MATANZA
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92675

Paleontological
Resources

August 6, 2004

3:00PM (PST)

Transportation Corridor Agencies

Ms. Macie Cleary-Milan, Deputy Director

Environmental Planning

125 Pacifica

Irvine, CA. 92618-3304

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CC: Marine Corps. Camp Pendleton
Native American Heritage Commission (NAHC)
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MATANZA
SAN JUAN
CAPISTRANO CA
92675

General Comment August 6, 2004

3:00PM (PST)

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA. 92618-3304

Re: South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Phase I Archaeological Inventory, prepared by Greenwood and Associates and the SOCTIIP Draft EIS/SEIR, Executive Summary, Section 4.16 of the EIS; Section 7.17.2 of the EIS; and Section 8.16 of the EIS.

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Acjachemen Nation

CC: Marine Corps. Camp Pendleton

Native American Heritage Commission (NAHC)

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Cumulative
Impacts

August 6, 2004

3:00PM (PST)

Transportation Corridor Agencies

Ms. Macie Cleary-Milan, Deputy Director

Environmental Planning

125 Pacifica

Irvine, CA. 92618-3304

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 Historic and
 Archeological
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3:00PM (PST)

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evidence for conclusions concerning the archaeological and cultural resources that will be destroyed by project implementation. Most disturbing is the lack of recognition of the significance of the San Mateo Archaeological National Register District and lack of direct tribal consultation with the listed Tribal Government who represent living descendants of the village site of Panhe (the project area). It is further evident that substantial documentation listed as the site being important to the tribe is left out of all parts of both the Technical Report and the EIS.

The proposed Project as it relates to the described areas will have numerous significant impacts to cultural resources located within the Project area as stated in the Draft EIS/SEIR. An Acjachemen Village, Panhe, designated archaeological site, is within the Project area and will be significantly impacted. Acjachemen burials are located on this site within the Project area and have the potential of significant adverse impacts.

The Acjachemen Village of Panhe (CA-ORA-22) is located in the San Mateo Archaeological District, is a Registered Resource in the NRHP, and is a significant cultural resource and property to the Acjachemen Nation that will be significantly and adversely impacted by the proposed project.

- Let it clearly be defined and acknowledged that in sections ES.6.18.3. of the report states that "...all the SOCTIIP build alternatives are assumed to result in potentially significant adverse impacts under CEQA related to archaeological and historic resources that cannot be mitigated to below a level of significance." The tribe concurs with this statement and believes that adverse impacts will be unavoidable.

- Section 4.16 does not mention this National Register District, despite its significance. The discussion of sites listed on the National Register of Historic Places, and the summary tables, are misleading.

- The San Mateo Archaeological District is not one site, as stated in the document and tables, but consists of seven archaeological sites, each of which is a contributing element to the National Register District. Since the document measures significance of impacts for a particular alternative by the number of sites that would be impacted, minimizing the number of National Register properties is a strategy that appears to be designed to select a particular alternative.

- There is no discussion in the EIS about TCPs, or about the status of Panhe as a TCP. Panhe is listed by the Native American Heritage Commission as a Sacred Lands site. National Register Bulletin 38 has substantial guidance on evaluating TCPs, and should have been used by the consultant in their evaluations.

- The "Request for Determination of Eligibility" for the San Mateo Archaeological District, encompassing sites ORA-22, SDI-4284, SDI-4535, and SDI-8435 (Romani 1981), provides important information about the site ignored by the EIS preparers. There are 11 additional cultural places that are eligible for the NRHP that will be significantly and adversely impacted by the proposed project.

- There are numerous documented burials within the study area that will be significantly and adversely impacted by the proposed project.

- There are prehistoric burial grounds and established reburial grounds within the study area that will be significantly and adversely impacted by the proposed project.

- The Acjachemen Nation requires direct consultation under Section 106 of the NHPA with the Lead Agencies and the CA SHPO to enter into the agreement process to preserve Acjachemen NRHP Registered and eligible sites, burial grounds, traditional cultural properties, and cultural and historical resources.

- The Acjachemen Nation requires direct involvement in mitigation measures especially Measure AR-4 and the addition of a mitigation measure featuring Acjachemen Native American monitors during ground disturbance and construction activities.

- Public accessibility to currently isolated archaeological sites will allow the possibility of and subject to robbing of graves and traditional cultural properties.

- The Acjachemen Nation has not yet been contacted or engaged in dialogue with the Lead Agencies regarding this proposed project and is requesting immediate conference with the Lead Agencies to resolve potential significant, adverse, and irreversible impacts and damage on Acjachemen, Federal, and

State historic, cultural, and archaeological resources.

The Juaneño Indians believe this to be a sacred area; Greenwood and Associates (pg.4-8 through 4-9) quote Romani (1981) at length in their ethnographic section:

1. Panhe was the location of the first close contact between our Tribal people and Europeans, when Spaniards of the Portola expedition camped at a spring in the vicinity during July 1769. Prior contacts had been limited by the fact that the Spanish were traveling at sea by ship. The contact event is memorialized from the white perspective as the occasion for the "first baptism in California."

2. A burial was discovered during construction, and was preserved essentially in situ by Caltrans and the Juaneño. The Tribes traditions hold places of burials to be sacred, and their beliefs do not allow for the removal of human remains or any associated personal belongings from their original place of interment. The Tribe considers it inevitable that there are additional burials on the site, increasing its sanctity.

3. Earliest mission records document that Tribal (Juaneno) people from Panhe were among the largest population of Indians to be taken from their homes for the purpose of constructing the Mission San Juan Capistrano and developing the ranches of the area....The descendants of the Juaneño people from the village

of Panhe are even today still active members and leaders (Tribal Council) of the tribe both culturally and politically.

4. As the physical location of a village within the Tribes traditional tribal area, it is essential evidence of our culture and has significance distinct from any scientific value it may or (because of historic disturbance) may not have. The Tribe recognizes this site as sacred to our people and will be adversely affected by all proposed plans. This location remains current with demonstration of activity with the Tribe and Camp Pendleton Marine Corps Base through access, ceremony, song and education. The known presence of burials at the site elevates its importance beyond any possibility for impact mitigation.

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As an internal Tribal government matter but relevant to the Project, former tribal member/individual Mr. Belardes was removed from tribal membership several years ago (1997) and is not authorized to speak on behalf of or to represent the Tribe. He currently holds no elected or appointed position with the Tribe and is identified as an Individual and/or Former Tribal Member. Also as an internal tribal governmental matter The Tribe's approved constitution does not provide for a "chief." There are more than 2,700 members of the Tribe, many of which are descendants from or living in the surrounding areas known as the proposed project area, who expressly do not recognize Mr. Belardes as chief, Chairman, or in any other official capacity inclusive of a Most Likely Descendant as it relates to the Tribe or this project.

In closing, we the tribe remain firm in exercising our sovereign rights in protecting our people while preserving our few remainin

g sacred sites and cultural resources. Defined relevance of tribal relations to this land is well documented and is actively alive today through its descendants. The projects alternatives as it is demonstrated stands as a potential catastrophic event to the people of the State of California, Orange County, San Diego County and the indigenous people of the lands of Panhe, The Juaneño Band of Mission Indians, Acjachemen Nation

Respectfully,

Christopher A. Lobo
Secretary/Treasurer, CFO
Juaneño Band of Mission Indians,
Acjachemen Nation

CC: Marine Corps. Camp Pendleton
Native American Heritage Commission (NAHC)
California State Histori

LOBO
CHRISTOPHER

31411-A LA
MATANZA
SAN JUAN
CAPISTRANO CA
92675

Socioeconomics
and Environmental
Justice

August 6, 2004

3:00PM (PST)

Transportation Corridor Agencies

Ms. Macie Cleary-Milan, Deputy Director

Environmental Planning

125 Pacifica

Irvine, CA. 92618-3304

Re: South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Phase I Archaeological Inventory, prepared by Greenwood and Associates and the SOCIITP Draft EIS/SEIR, Executive Summary, Section 4.16 of the EIS; Section 7.17.2 of the EIS; and Section 8.16 of the EIS.

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Respectfully,

Christopher A. Lobo

Secretary/Treasurer, CFO

Juaneño Band of Mission Indians,

Acjachemen Nation

CC: Marine Corps. Camp Pendleton

Native American Heritage Commission (NAHC)

California State Histori

FLETCHER
LAURIE

21661
BROOKHURST
ST, APT 138
HUNTINGTON
BEACH CA 92646

General Comment

I think extending the 241 toll road is a terrible idea. People are complaining about traffic...one reason why we have so much traffic is because of all the people concentrated in one small area, Orange County. By extending the 241 toll road, you'll create access to one of the very last bit of open space we have here. Before you know it every hillside in Orange County will be covered in stucco tract homes, shopping centers, and pavement! Even if you "put aside" land to remain untouched, that's not enough. The land that you want to drive right through has already been put aside to remain untouched...yet you want to destroy it!! The extension of the 214 toll road will not lighten traffic in the long run. It is a short term solution, and a poor one at that. It will only bring more people here, therefore creating MORE traffic in the future. There are several other solutions to our traffic problems (widening Interstate 5 being the most logical), but by extending the 241 toll road you are only making things worse. We have a responsibility to protect the last area of open space! Please, don't destroy it.

ROSE RANDALL

1416 LAKESIDE
LN
HUNTINGTON
BEACH CA 92648

General Comment

I would like to know why toll lanes similar to those on the 91 freeway were not considered as a viable alternative. I think that the I-5 widening is the best option as it doesn't encourage growth in our only remaining open spaces in Orange County, doesn't endanger our environment or our wildlife. I understand that there are limited funds for widening the I-5 in South County but I think that if toll lanes were provided similar to those used in the Santa Ana Canyon they would prove very practical and effective, as well as not ruin our only remaining open spaces.

W-36

General Comment

I'm very concerned about the proposed extensions of the 241 toll roads. Your own literature informs the public that the best way to free up traffic for the future, which is the tollroads agencies say they want to accomplish, is the widening of the I-5. All of the tollroad's alternatives to this widening involve the destruction of natural habitat and the further endangerment of already threatened species. 95% of California's coastal wetlands have already been destroyed to effect anymore is bordering on insanity. Why not widen the I-5 selling bonds in order to finance it then like the I-15 open up lanes for fastrak users that would have to pay in order to use the lanes? I also ask that anyone

that wants the tollroads to be built to take the hike down to lower trestles early in the morning and realize the beauty that will be seen is endangered and could be ended if the paving over of everything in Southern California isn't stopped. Listen to the community and please preserve some of our last open land for future generations.

VON KLEINSMID J 19311
WATERBURY
HUNTINGTON
BEACH CA 92646

General Comment

I am against putting any kind of toll road through any open space. There are very few open spaces left in California and those that are left should be protected. I feel that a better option would be to widen the existing roads rather than destroy what little wildlife refuges are left for the enjoyment of future generations.

JENNIFER 2535 WEST
LINCOLN AVE
ANAHEIM CA
92801

General Comment

I think you should reconsider the extension and look for alternatives that do not endanger wildlife and precious land.

MARKS LISA 31522 EAGLE
ROCK WAY
LAGUNA BEACH
CA 92651

Cumulative
Impacts

Roads absorb and radiate heat differently than planted areas. We've all noticed how hot areas are with lots of streets and buildings and how comparatively cooler are vegetation zones. What is the cumulative impact of road building on solar radiation and absorption. Do roads make our planet hotter? If every county in the nation build new roads similar to the ones proposed, what would the cumulative impact be?

W-37

MARKS LISA 31522 EAGLE
ROCK WAY
LAGUNA BEACH
CA 92651

General Comment

Orange County needs solar powered trams, not more roads. Have the Transportation Corridor Agencies considered alternative public transportation?

W-38

WALTMAN SUSAN 105 CALLE
CAMPO
SAN CLEMENTE
CA 92672

Traffic and
Circulation

The toll road will not bring new growth, the growth is already here. Alternative FEC-M would be the least damaging to the general population in our area. Please do not add traffic congestion to an already congested area.

FERONS DANIEL PO BOX 7005
MISSION VIEJO
CA 92690

Public Services
and Utilities

SMWD facilities are critical in nature to provide for the health and safety of the residents within the SMWD service area. Any relocation of facilities will necessitate close coordination and prior approval of the SMWD. All weather and continuous access to all SMWD facilities must be maintained during construction. The South County Pipeline is a key water supply facility to the region and it can not be taken out of service except during winter months and only for limited periods of time with one-year advance notice. The Chiquita Water Reclamation Plant, lift stations and forcemains are wastewater facilities that must be maintained in service with all weather access 24 hours a day, seven days a week

W-39

FERONS DANIEL PO BOX 7005
MISSION VIEJO
CA 92690

Cumulative
Impacts

SMWD is planning the following projects within the area, CEQA documentation has not been started on these projects:

- Chiquita Water Reclamation Plant Phase IV expansion, the work will be performed on site. Adjacent to the treatment plant,
- Chiquita overflow basin to protect the environment from an accidental sewage release.
- Domestic Emergency Storage Reservoirs in Upper and Lower Chiquita Canyon. The site in Upper Chiquita Canyon is partially encumbered with a TCA easement. The Site in Lower Chiquita Canyon is just north of the Chiquita Water Reclamation Plant
- Recycled Seasonal Storage Reservoir is planned for one of several sites including:
 - o Trampas Canyon

W-40

- o San Juan Creek at Verdugo Canyon
- o Trampas Canyon Pit Site
- o Gabino West
- o Upper Cristianitos Site

W-40

W-41

| | | | |
|---------------|--|--|--|
| FERONS DANIEL | PO BOX 7005 MISSION VIEJO CA 92690 | Affected Environment, Environmental Consequences, and Mitigation Measures | Mitigation measures are required for removal, relocation or protection in place of all SMWD Facilities. |
| FERONS DANIEL | PO BOX 7005 MISSION VIEJO CA 92690 | General Comment | The Santa Margarita Water District appreciates the opportunity to comment on the EIR document prepared by the Transportation Corridor Agencies (TCA). The primary concern of SMWD is to maintain service to its existing customers. |
| STOWE PENNY | 329 CALLE FELICIDAD SAN CLEMENTE CA 92672 | General Comment | My husband and I encourage development of the toll road to the south of our beautiful city if it must be done. We have retired in San Clemente and feel the road being developed through town (down Pico) would destroy this historic and quaint area. The only reasonable solution would be to go south and border the base in order to keep San Clemente's integrity and protect homeowners and merchants valuable assets. |
| WHITE ROBERT | 2234 CALLE OPALO SAN CLEMENTE CA 92673 | General Comment | The Central Corridor Alternative will seriously effect the value of our property. Our home is our wealth and our kids inheirance. We have worked hard for it. PLEASE don't ruin it. |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Recreation Resources | Hiking trails and bikeways should be built so that people can enjoy natural areas near the tollway, as long as those trails and bikeways avoid the most sensitive habitats that are important for wildlife survival. Route information and educational signage should be provided at the trailheads. |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Project Alternatives | I've camped at San Mateo Campground. You need to choose a location that avoids that beautiful valley with San Mateo Creek. I've gone bird watching at Starr Ranch. You need to avoid any impacts on Starr Ranch or the network of protected lands around it. From wohnt I can see of your map, the central corridor routes do the best job of avoiding these sensitive natural areas and so the central route should be chosen instead of any of the eastern routes. |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Affected Environment, Environmental Consequences, and Mitigation Measures | There is no way of properly mitigating the placement of such a huge road near Starr Ranch or San Mateo Creek. You simply need to avoid these areas. Have you ever visited Highway 280 on the San Francisco peninsula? I think you could learn much from the design of that road. |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Wild and Scenic Rivers | San Mateo Creek drains a Federally designated wilderness area and is one of the few remaining natural riparian areas in the LA Basin. It should be protected by a wildlands corridor from the Wilderness area to the sea! |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Wildlife, Fisheries, and Vegetation | Great wildlife resources are in Starr Ranch and the O'Neill land conservancy. Stay away from these areas! Steelhead trout! Stay away from San Mateo Creek! |

| | | | |
|--------------|---|--------------------------------------|---|
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Noise | I like to hear the sounds of birds and other natural sounds! The tollway needs to have good sound barriers. Other land where natural sounds can still be heard should be set aside as mitigation for the large area where this tollway will destroy the sounds of nature. |
| <hr/> | | | |
| KANNE ROBERT | 4825 VIA DEL CORRAL YORBA LINDA CA 92887 | Pedestrian and Bicycle Facilities | There is a great bike trail between San Mateo Campground and the beach. You need to avoid screwing that up. This road will create a huge barrier to east-west bike and hiking travel. You need to plan underpasses and bike routes which will lead people who are self-propelled to the underpasses in a safe manner. |

Total 1080

Other Comments Received

Appendix D

U.S. Department of Homeland Security
 FEMA Region IX
 1111 Broadway, Suite 1200
 Oakland, CA. 94607-4052



FEMA

May 27, 2004

Transportation Corridor Agencies
 125 Pacifica, Suite 100
 Irvine, CA 92618-3304
Attention: Macie Cleary-Milan

Dear Ms. Cleary-Milan:

This is in response to your May 7, 2004 South Orange County Transportation Infrastructure Improvement Project Draft Environmental Impact Statement.

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the Orange and San Diego Counties. Please note that the Counties participate in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in the Code of Federal Regulations #44, Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.
- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the

F1-1

F1-2

F1-3

structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

F1-3

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with CFR44, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/mit/tsd/dl_mt-2.htm

F1-4

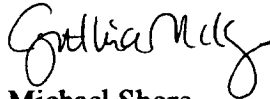
Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in CFR #44. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Orange County floodplain manager can be reached by calling County Flood Control at 714-834-6192. The San Diego County floodplain manager can be reached by calling the Floodplain Department at 619-533-3747.

F1-5

If you have any questions or concerns, please do not hesitate to call Anna Davis of my staff at 510-627-7029.

Sincerely,



for:

Michael Shore
Branch Chief
Community Mitigation Programs

cc:

Sandro Amaglio
FEMA Regional Environmental Officer



UNITED STATES MARINE CORPS
MARINE CORPS BASE
BOX 555010
CAMP PENDLETON, CALIFORNIA 92055-5010

IN REPLY REFER TO:

5700
CPLO
28 JUL 04

Ms. Macie Cleary-Milan
Deputy Director, Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

REC'D JUL 28 2004

Dear Ms. Cleary-Milan:

Marine Corps Base, Camp Pendleton has completed a review of the **Draft Environmental Impact Statement/Subsequent Environmental Impact Report (DEIS/SEIR)** for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP).

As you know, this Base already completed one thorough analysis of the SOCTIIP Screencheck DEIS/SEIR document prior to its release for public review; and several comments generated during that review effort were previously submitted to the FHWA, the lead federal agency for this project. A few additional comments have been generated, however, during this most recent review of the April 2004 DEIS/SEIR document. Our supplemental comments are attached as enclosure (1). Should you have any questions regarding these comments, please contact the undersigned at (760) 725-6513.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. D. Rannals".

L. D. RANNALS

Community Plans & Liaison Officer

By direction of the Commanding General

Attachment

Copy to:

Chief of Staff

AC/S Facilities (PWO & OWR)

AC/S Ops & Trng

AC/S Environmental Security

SOCTIIP EIS QA Mgr

FHWA (California Division)

MCB CAMP PENDLETON COMMENTS
RE: SOCTIIP DEIS/SEIR of APRIL 2004

1. **Table 4.6-20 (on pages 4.6-49, 4.6-50, 4.6-55, and 4.6-56)**

At each location within this Table where Receptor 1 is listed, the Noise Level (w/o barrier dBA Leq) as depicted in column 2 for Receptor 1 has been incorrectly stated as 67. Column 2 should indicate a dBA Leq level of **70** vice 67 for Receptor 1. (Note: This error can easily be verified by referring to Tables 4.6-12 and 4.6-13.) In addition to correcting this error for Receptor 1 within column 2, a similar correction must also be made in column 4 of Table 4.6-20. Thus, column 4 for Receptor 1 should be corrected to read 64 (6) vice 61 (6).

F2-1

2. **Section 4.6.4.1 Mitigation for Construction Noise Impacts (page 4.6-20)**

Please add the following sentence at an appropriate location within Measure N-1. Local Control for Construction Hours: "For any portion of this project that may be constructed on MCB Camp Pendleton in San Diego County (outside the area of jurisdiction of the Orange County Noise Ordinance or outside the area of jurisdiction of San Clemente's Noise Ordinance, approval of the planned hours of construction, including any need to perform nighttime pile driving will rest solely with the Commanding General of Camp Pendleton."

F2-2

3. **Section 4.6.4.2 Mitigation Measures for Long Term Noise Impacts (page 4.6-21)**

Please add the following sentence at an appropriate location within Measure N-8. Long Term Noise Impacts: "The design and specifications of any sound walls to be constructed adjacent to existing Housing or Recreational areas within the confines of MCB Camp Pendleton must also be approved by the Commanding General of Camp Pendleton."

F2-3

4. **Section 4.8 Impacts to Groundwater (pages 4.8-18 and 4.8-19)**

This section of the DEIS/SEIR contains statements such as, "... construction of the [various SOCTIIP alternatives] is not expected to result in the destruction of any groundwater wells or the permanent lowering of groundwater levels." It further states, "Placement of impervious road surfaces in recharge areas are not expected to reduce the amount of runoff that infiltrates into the aquifer. A reduction in recharge is not expected to occur that effects groundwater levels in the aquifers."

F2-4

On the other hand, **section 4.21.9.3 Impacts for Waterways, Floodplains and Hydrologic Systems Related to Camp Pendleton (pages 4.21-53 and 4.21-54)** states, "The addition of impervious road surfaces through SOSB Cristianitos Subunit 1 would decrease the infiltration

rate of surface water runoff to the San Mateo Creek aquifer. Because this may result in decreased safe annual yield and since it will conflict with the Military Mission, this decrease in yield is considered to be an adverse impact.”

Comment: We are concerned that there is not sufficient in-depth analysis within the EIR to address the potential impact this project may have on the San Mateo groundwater aquifer. While the DEIR/SEIR infers that construction of several hundred acres of impervious surface area within the San Mateo basin will have no negative effect on the infiltration process or recharge capacity of the groundwater aquifer, there’s not enough detailed analysis in the report to support this assumption. We’re concerned that precipitation which would normally infiltrate into the area to be paved by the project roadway will instead be channeled and artificially directed to other natural drainages and the San Mateo creek. Sufficient analysis should be included in the Final EIS/SEIR to demonstrate that the added roadway surface will not negatively impact infiltration, percolation, ground water levels or water quality characteristics of the groundwater in the San Mateo basin aquifer. The Final EIS/SEIR should additionally discuss what impacts might occur to the San Mateo aquifer from contaminated roadway runoff impounded for up to 72 hours in Extended Detention Basins and then released directly into drainage ways or the San Mateo Creek.

F2-4

5. Section 4.21.2.1 Military Mission (page 4.21-2)

In the 2nd paragraph of this page, please correct the website address of MCB Camp Pendleton to read as follows: <http://www.pendleton.usmc.mil> . Also please make this same correction at all other locations within section 4.21 where the Camp Pendleton website address is given or anywhere else within the EIR where the Camp Pendleton website address is referenced.

F2-5

6. Section 4.21.2.2 Military Ground and Amphibious Training Areas (page 4.21-7)

In the 1st paragraph on this page, change, “... between 20,000 and 25,000 reservists drill annually at Camp Talega...” to read, “between 16,000 and 20,000 reservists drill annually at Camp Talega...”.

F2-6

Under the section, **Current Uses at Camp Talega** (page 4.21-8), first line of 3rd paragraph, close parentheses after the word “(TFC)”. Also, in the last line of the 5th paragraph, add “/2004” after the words “... since the GWOT was initiated and for the 2003...”.

F2-7

7. Section 4.21.2.4 Impacts Related to Military Uses; Long Term Impacts of the FEC-M, FEC-W, and A7C-FEC-M, Alternatives Related to Ground and Amphibious Training (page 4.21.21)

F2-8

Delete the following sentence in the middle of this paragraph: “This area has some availability as an active training area.” This sentence can be deleted because it is repeated again in the sentence

that immediately follows.

F2-8

8. Section 4.21.4.1 Affected Environment for Farmland Related to Camp Pendleton; Agricultural Outleases (page 4.21-29)

The TCA should update this section of the EIR, which discusses agricultural outleases on Camp Pendleton, to reflect current conditions. The previous Lessee, Deardorff Jackson Company, no longer holds the Lease on the San Mateo Basin agricultural area; and the renewed agricultural lease has been granted for a smaller number of acres for farming operations than the previous Ag lease in this part of the Base did. The new Lessee is now Sunrise Growers; the new agricultural lease area is now 486 acres in size (472 farming acres and 14 non-farming, admin area acres); and the current Lease now expires in December 2006. These changes should be reflected in several other paragraphs contained in this section on pages 4.21-29 through 4.21-3.

F2-9

Moreover, with the reduced size of the new ag Lease, it appears that the prospective alignment for the FEC-M, FEC-W, and A7C-FEC-M Alternatives would not result in the loss of any farmland on Camp Pendleton, as currently stated in the EIR. Thus, the various statements to this effect and Table 4.21-3 should be revised to reflect this change. It should also be noted that the current agricultural lease with Sunrise Growers contains no leased farming areas to the west of Cristianitos Road, as was once the case with the former Deardorff Jackson lease.

F2-10

9. Section 4.21.7.4 Mitigation for Noise Related to Camp Pendleton; Mitigation for Construction Noise Impacts (page 4.21-43).

Please add the following sentence at an appropriate location near the beginning of this section: "For any portion of this project that may be constructed at locations on MCB Camp Pendleton, approval of the planned hours of construction, including any need to perform nighttime pile driving work will rest solely with the Commanding General of Camp Pendleton."

F2-11

In the paragraph entitled Measure N-3: Schools Adjacent to the Construction Zone., delete the words "Capistrano Unified School District" and replace with "Fallbrook Union Elementary School District". The CUSD has no school locations on Camp Pendleton.

F2-12

10. Section 4.21.7.4 Mitigation for Noise Related to Camp Pendleton; Mitigation Measures for Long Term Noise Impacts (page 4.21-45).

Please add the following sentence at an appropriate location near the beginning of this section: "The design and specifications of any sound walls to be constructed adjacent to existing Housing or Recreational areas within the confines of MCB Camp Pendleton must also be approved by the Commanding General of Camp Pendleton."

F2-13



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE

Southwest Region
 501 West Ocean Boulevard, Suite 4200
 Long Beach, California 90802-4213

AUG 6 2004

In response refer to:
 151422SWR04PR13884:SCG

Transportation Corridor Agencies
 Ms. Macie Cleary-Milan, Deputy Director
 Environmental Planning
 125 Pacifica
 Irvine, California 92618-3304

Dear Ms. Cleary-Milan

The National Marine Fisheries Service (NOAA Fisheries) has reviewed the Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR) for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP). NOAA Fisheries is concerned with this project and its effects on the Federally-endangered Southern California Steelhead Evolutionary Significant Unit (ESU). Although the EIS/SEIR addresses impacts to steelhead and their habitat, NOAA Fisheries believes the document does not accurately characterize the status of steelhead or adequately assess project impacts on steelhead. In this regard NOAA Fisheries would like to provide the following comments.

First, NOAA Fisheries would like to provide a clarification and update on the current status of Southern California steelhead. The anadromous (ocean-going) form of *Oncorhynchus mykiss* in Southern California was listed as endangered under the Endangered Species Act (ESA) in 1997. The geographic range for the Southern California ESU was originally thought to be from the Santa Maria River to Malibu Creek, but in 2002 was extended to the Mexican Border based on new information indicating that steelhead had colonized San Mateo Creek. Although San Mateo Creek was thought to be the only watershed inhabited by steelhead south of Malibu Creek, recent surveys by the California Department of Fish and Game and recent anecdotal reports now suggest that steelhead are currently present in San Juan Creek and Arroyo Trabuco, a major tributary to San Juan Creek. It is widely reported in historical newspaper articles that San Juan Creek and Arroyo Trabuco historically supported steelhead. Although the EIS/SEIR states that steelhead were not found during surveys and are thought to be extirpated from San Juan Creek, NOAA Fisheries has sufficient evidence to believe that this is not the case. The EIS/SEIR should also address the fact that steelhead presence in Southern California streams can be ephemeral and a small number of limited spatial surveys are not sufficient for determining steelhead presence within a watershed. Lastly, NOAA Fisheries has recently proposed to include all resident forms of *O. mykiss* (rainbow trout) that occur in streams below impassable barriers to steelhead migration in this ESU (69 FR 33102). This action would protect all resident and

F3-1

F3-2



anadromous forms of *O. mykiss* in San Juan Creek (and San Mateo Creek and Arroyo Trabuco) under the provisions of the ESA because these watersheds are open to the ocean.

F3-2

Secondly, NOAA Fisheries would like to provide an update regarding the designation of critical habitat for Southern California Steelhead. Although critical habitat was vacated by a consent decree in 2002 as noted in the EIS/SEIR, it is currently being reevaluated by NOAA Fisheries and a proposed critical habitat designation for this ESU is expected in the fall of 2004. Given the low numbers of steelhead in Southern California, and the small number of Orange County streams open to the ocean which contain *O. mykiss* and satisfactory trout habitat, San Mateo Creek, San Juan Creek, and Arroyo Trabuco may be essential to the survival and recovery of steelhead in the southern portion of the Southern California ESU's range.

F3-3

Lastly, NOAA Fisheries recommends that the EIS/SEIR provide more detail on how the project will affect steelhead and steelhead habitat in terms of water temperature, sedimentation, toxic runoff, other non-point source pollution, other water quality attributes in the short and long-term, and what type of mitigation will address these effects. In addition, the EIS/SEIR did not address the toxic releases into the streams from accidental oil and chemical spills, and automobiles accidentally ending up in the creeks along sections of the highways that parallel watercourses. NOAA Fisheries believes that steelhead are important watershed health indicators and are important for socio-economic reasons, and the EIS/SEIR should address these issues.

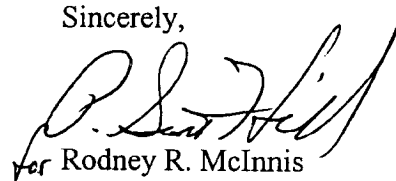
F3-4

F3-5

F3-6

Thank you for this opportunity to provide comments on the Draft EIS/SEIR for the South Orange County Transportation Infrastructure Improvement Project. Please call Stan Glowacki at (562) 980-4061 if you have any questions concerning this letter, or if you require additional information.

Sincerely,


for Rodney R. McInnis
Regional Administrator



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
 P.O BOX 532711
 LOS ANGELES, CALIFORNIA 90053-2325

August 6, 2004

REPLY TO

Office of the Chief,
 Regulatory Branch

REC'D AUG 09 2004

Mr. Maiser Khaled
 Director, Project Development and Environment
 U.S. Department of Transportation
 Federal Highway Administration, California Division
 650 Capitol Mall, Suite 4-100
 Sacramento, California 95814

Dear Mr. Khaled:

The U.S. Army Corps of Engineers ("Corps") has reviewed the joint Draft Environmental Impact Statement ("EIS")/Subsequent Environmental Impact Report ("SEIR") for the ***South Orange County Transportation Infrastructure Improvement Project*** ("SOCTIIP") located in southern Orange and northern San Diego counties, California. The Transportation Corridor Agencies ("TCA") in cooperation with the U.S. Department of Transportation, Federal Highway Administration ("FHWA"), prepared this document. The TCA is the project sponsor and lead state agency pursuant to the California Environmental Quality Act ("CEQA"), whereas the FHWA serves as the lead federal agency pursuant to the National Environmental Policy Act ("NEPA"). The U.S. Department of the Navy is a federal cooperating agency in accordance with 40 CFR § 1501.6.

The following comments are provided based upon our aquatic resources expertise, regulatory policies, procedures, and regulations pursuant to section 404 of the Clean Water Act ("CWA"; 33 U.S.C. § 1344; 33 C.F.R. Parts 320 through 330). Under our statutory responsibilities for the discharge of dredged or fill material into waters of the United States ("waters of the U.S."), we offer the following comments to assist the applicant, namely the TCA, and the FHWA in demonstrating compliance with the 404(b)(1) Guidelines ("Guidelines") as promulgated under 40 C.F.R. Part 230. Towards this end, the Corps has been an active participant in the SOCTIIP interagency collaborative process, as well as the related procedures stipulated in the 1994 *NEPA-Section 404 of the CWA Integration Process Memorandum of Understanding* ("MOU") for the State of California. Our letter identifies broad issues and policy concerns relating to compliance with the Guidelines, aquatic resources identification and analysis of impacts, mitigation, and adherence to the MOU.

Compliance with the 404(b)(1) Guidelines & Public Interest Review

A total of eight build alternatives, including six toll road options and two non-toll road

options, plus two No Action alternatives are evaluated in the Draft EIS/SEIR. Despite the applicant's inability to implement the two non-toll road alternatives under consideration [i.e., Interstate 5 ("I-5") Widening alternative and Arterial Improvements Only ("AIO") alternative], both are co-equally analyzed along with the other alternatives for comparative purposes. It is noteworthy to acknowledge the Draft EIS/SEIR does not identify a preferred alternative, locally preferred alternative or proposed action. For this reason, compliance with the Guidelines and the Corps' public interest review process will not be entirely determined nor fulfilled until such time that: a preferred alternative is selected by the TCA and FHWA; a Department of the Army ("DA") section 404 permit application is processed; a Public Notice ("PN") is issued to solicit and consider public comments; and a DA permit decision is rendered.

As part of the integrated environmental processes, decisions will be made relating to the environmental impacts (benefits and detriments) and practicability of the eight proposed build alternatives. Specifically, a discharge of dredged or fill material into waters of the U.S. can only be permitted if it is the least environmentally damaging practicable alternative ("LEDPA"), does not violate any applicable State water quality standards or toxic effluent standard or prohibition, does not jeopardize the continued existence of species listed as endangered or threatened under the Endangered Species Act or adversely modify their designated critical habitat, does not significantly degrade the nation's waters, has taken all steps to minimize potential adverse impacts of the discharge on the aquatic ecosystem, and is not contrary to the public interest.

When considering practicability, the Guidelines define a practicable alternative as one that is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the overall project purposes [refer to 40 C.F.R. § 230.3(q)]. Moreover, the Guidelines indicate that discharges of dredged or fill material into waters of the U.S., including wetlands, should not occur unless it can be demonstrated that such discharges, either individually or cumulatively, will not result in unacceptable adverse effects on the aquatic ecosystem. The Guidelines specifically require that no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge, which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences. As the applicant, TCA bears the burden of proof for all the tests of the Guidelines to demonstrate to the Corps that the proposed SOCTIP, or any part of it, should be built in waters of the U.S.

Alternatives Analysis: Sequenced Search for the LEDPA

As you know, the NEPA requires a discussion of mitigation for adverse environmental impacts of alternatives, where mitigation is defined to include avoidance, minimization, restoration and creation of habitats. Section 404 of the CWA also requires consideration of practicable alternatives to avoid and minimize adverse environmental impacts, and further requires that these measure be exhausted before turning to restoration and creation of habitats.

Your evaluation of impacts contained in the Draft EIS/SEIR concludes the proposed SOCTIIP alternatives are expected to potentially result in significant adverse impacts to waters of the U.S. Figures presented in the document estimate a loss of 9.2 acres to 53.7 acres of waters of the U.S., including riparian ecosystems, depending on the alternative. Adverse indirect effects on aquatic resources also are expected to result from the implementation of the build alternatives, although they are not entirely understood based upon the discussion presented in Section 4.10. Because of the extent of these environmental impacts and the fact section 404 compliance often necessitates a more detailed and specific analysis of the aquatic impacts than the NEPA, the 404 evaluation should be presented in a separate section of the EIS/SEIR to ensure the selection of the preferred alternative complies with the Guidelines. Alternatively, if the pertinent information is adequately discussed elsewhere, it can be summarized and referenced in the 404(b)(1) alternatives analysis. It appears that most, if not all, section 404 of the CWA parameters are addressed within the various volumes of the Draft EIS/SEIR. However, since the Corps' 404(b)(1) evaluation addresses myriad topics relating to the anticipated changes to the physical, chemical, biological, and human use characteristics of the aquatic environment, careful and thorough consideration should be given to this analysis.

F4-1

F4-2

Additionally, the MOU provides guidance on this subject, which instructs the applicant to justify in detail how the cost, performance, socioeconomic impacts or other factors make the minimization or avoidance alternative impracticable. Recognizing the overarching goal of the MOU is to integrate the procedural requirements of the NEPA and the substantive requirements of section 404 of the CWA, we request the draft 404(b)(1) alternatives analysis be incorporated into the Final EIS/SEIR or attached as a stand alone appendix.

F4-3

Aquatic Resources Identification & Analysis of Impacts

As a matter of context, the findings presented in the Draft EIS/SEIR and the accompanying technical studies suggest aquatic resources within the study area are regionally valuable and relatively scarce. Within Orange County, a substantial percentage of wetlands have been lost or significantly degraded due to past and on-going development, agricultural practices, public works projects, and other anthropogenic disturbances. Scientific literature included and/or cited in the Draft EIS/SEIR corroborates this finding and further establishes the ecological significance, functions, and values associated with the aquatic ecosystem. Consequently, the high integrity of the aquatic ecosystem (as scored by the Functional Assessment¹) coupled with the potential magnitude of impacts, warrants a robust analytical evaluation using the best available information. Paramount to this analysis is the enumeration and characterization of the extent and permanence of impacts to the aquatic ecosystem. Disclosure and consideration of the

F4-4

¹ Smith, R.D. 2003. Potential Impacts of Alternative Transportation Corridors on Waters of the United States and Riparian Ecosystems for the Southern Orange County Transportation Infrastructure Improvement Project. U.S. Army Engineer Research and Development Center, Waterways Experiment Station, Vicksburg, MS.

losses or degradation of the functions and values of regulated waters of the U.S. is tantamount to identifying the LEDPA. For this reason, the Corps will give full consideration to the results of the Functional Assessment in conjunction with all other pertinent environmental factors.

Aquatic Resources Identification

The Draft EIS/SEIR appears to identify and characterize aquatic resources using current data sources and state-of-the-art evaluation methods. The U.S. Army Engineer Research and Development Center (ERDC), Waterways Experiment Station, conducted a planning level delineation to geo-spatially identify potential waters of the U.S. (R. Lichvar 2000; 2003). This effort was originally conducted as part of the Corps' *San Juan Creek and San Mateo Creek Watersheds Special Area Management Plan (SAMP)/Master Streambed Alteration Agreement (MSAA)*, and was then augmented for purposes of the SOCTIIP. The planning level delineation approach represents an adaptation of the methods outlined in the Corps 1987 Wetlands Delineation Manual and 33 C.F.R. Part 328 to a watershed scale. The approach provides a high quality map, based on likelihood of occurrence, of jurisdictional waters of the U.S., including wetlands, suitable for use in project planning. However, the planning level delineation does not serve as a substitute for the on-site jurisdictional delineation/determination that is normally conducted as part of the Section 404 permit review process. Therefore, a verified jurisdictional delineation applying the Corps 1987 Wetlands Delineation Manual (for wetlands) and 33 C.F.R. § 328.3(e) (for establishing ordinary high water mark for non-wetland waters of the U.S.) will be necessary. A formal jurisdictional delineation/determination will clarify the accuracy of direct impacts on waters of the U.S. resulting from the discharge of fill material. To this end, it is our understanding from Section 4.10 of the Draft EIS/SEIR that the TCA is in the process of performing a draft jurisdictional delineation for those alternatives deemed reasonable and practicable². Upon completion and approval by the Corps, we expect that the final jurisdictional delineation will be incorporated into the Final EIS/SEIR.

F4-4

Direct Effects to Aquatic Resources

In our review of the Draft EIS/SEIR we found that the document does not clearly nor completely estimate the direct impacts to all waters of the U.S., which includes special aquatic sites, such as wetlands, as well as other non-wetland waters, like ephemeral and intermittent streams, which may lack one or more of the requisite parameters. As Lichvar (2000) points out in his planning level delineation, of the 1,252 miles of ephemeral and intermittent stream channels identified as waters of the U.S., most were first and second order streams and located higher in the watersheds. The location of these stream channels resulted from some being partially identified on the vegetation type map and the remaining being identified from stereoscopic efforts. Tables 8.5-1 and 8.5-2 in the Natural Environment Study (NES) and Tables 4.10-13 and 4.10-14 in the Draft EIS/SEIR report project-induced impacts to these

F4-5

² "Practicable" as defined by 40 C.F.R. § 230.3(q)

ephemeral and intermittent streams. However, Section 4.10 of the Draft EIS/SEIR does not appear to provide an aggregate acreage that encompasses both wetlands and non-wetland waters of the U.S. The latter, of course, would necessitate a conversion of ephemeral/intermittent stream miles to approximate acreages. In other words, the NEPA document should present one summary table, which synthesizes and lists by alternative the direct impacts to all waters of the U.S. If, however, the acreages that are reported in Tables 4.10-15 and 4.10-16 as "*Acrees of Riparian Ecosystem Directly Impacted*" are representative of the impacts to ephemeral and intermittent streams (as shown in Tables 4.10-13 and 4.10-14), then the text should explicitly state so. In this same vein, the general assumptions relating to how direct impacts were accounted for should be discussed in Section 4.10. For instance, if aquatic resources occurring within the entire area of a given footprint of disturbance were considered a direct and permanent loss, this should be explained.

F4-5

F4-6

Section 4.10, *Affected Environment, Impacts and Mitigation Measures Related to Wetlands and Waters of the United States*, omits maps (e.g., aerial or topographic) illustrating the location of waters of the U.S. that would be potentially impacted by the build alternatives. The NEPA document should depict all affected and potentially affected aquatic resources on a map or series of maps and provide an estimate of the area of impact on each jurisdictional drainage or water body affected by the discharge of fill material. In lieu of an on-site jurisdictional delineation, we suggest incorporating the final map of waters of the U.S. and riparian ecosystems generated by ERDC for the planning level delineation as a placeholder. Citations for such data should also be included.

F4-7

While we recognize many of the non-wetland waters of the U.S. affected by this project may be unnamed stream channels, the TCA must employ a system for identifying and calculating impacts that is all encompassing. We suggest a tabular format that coincides with a topographic map of sufficient scale, which identifies each proposed alternative and lists/names the individual watercourses with the corresponding jurisdictional area that would be impacted, including a breakdown for wetlands and non-wetland waters of the U.S. We anticipate the integration of the forthcoming jurisdictional delineation will help to rectify this deficiency. However, due to the incomplete reporting of all waters of the U.S., the Corps is unable to judge the comparative merits and detriments of each alternative with respect to establishing the LEDPA.

F4-8

Indirect Effects to Aquatic Resources, Including A Functional Assessment

As you know, the Corps must determine the potential short- and long-term effects by evaluating the nature and degree of impact that the proposed discharge resulting from the SOCTIP alternatives will have, individually and cumulatively. The Guidelines require that a permit be denied for discharges, which will cause or contribute to significant degradation of the waters of the U.S. Therefore, understanding the direct, indirect and cumulative effects prior to mitigation is integral to our DA application review. To assist in this effort, ERDC (R.D. Smith

F4-9

2003) also performed a baseline functional assessment and impact analysis entitled *Potential Impacts of Alternative Transportation Corridors on Waters of the United States and Riparian Ecosystems for the Southern Orange County Transportation Infrastructure Improvement Project* ("Functional Assessment"). This analysis assesses the change in functions resulting from the implementation of the build alternatives using indicators for hydrology, water quality, and habitat integrity. The results suggest that all build alternatives would adversely affect the functions and values of the aquatic ecosystem, to varying degrees. As an example offered in the Functional Assessment, if a grading footprint would directly impact a portion of waters of the U.S. in a riparian reach, changes would be expected to occur in the metric value of several assessment indicators, including altered hydraulic conveyance, floodplain interaction, areas of native riparian vegetation, riparian corridor connectivity, land use/land cover at the riparian ecosystem boundary, and land use/land cover in the upland buffer. Together, the net result of these direct and indirect changes would be a reduction in the functional integrity units for habitat, water quality and/or hydrology.

F4-9

The Draft EIS/SEIR seems to acknowledge the indirect effects associated with highway projects by stating, "...[C]onstruction of new highway projects generally impacts existing drainage areas and streams in a watershed by altering the natural flow patterns through the addition of impervious areas and variations in the contributing drainage area. These impacts modify the natural timing of drainage in the watershed through changes in the time required for runoff to reach local streams and changes in the peak runoff rates and runoff volumes." (Section 4.9.2.3, page 4.9-6). Nonetheless, in its summary tables, the Draft EIS/SEIR concludes no adverse indirect impacts would occur to water quality, habitat, groundwater, erosion, sedimentation, and hydrology as a result of the implementation and operation of the build alternatives. This conclusion raises questions regarding the empirical and analytical relationship between the Functional Assessment, the RMP, and other technical analyses performed by Psomas. At a minimum, we recommend including the discussions presented in Sections 2.3.1 through 2.3.3 of the RMP Technical Report to help explain how the RMP criteria incorporate the Functional Assessment protocol and metrics. The Corps further suggests Table ES.6-1, *Summary of Adverse Impacts Before Mitigation*, be modified to include the actual metric/quantification of impacts (beneficial or adverse) associated with each environmental resource, rather than stating a "yes" or "no" as is currently the case for many of the resources.

F4-10

We found it cumbersome that the analysis of direct and indirect impacts on waters of the U.S. is not consolidated in the chapter that specifically addresses waters of the U.S. As an example, Section 4.10.4.2 of the Draft EIS/SEIR indicates the following with respect to the long-term impacts on waters of the U.S.:

F4-11

"Direct and indirect impacts associated with wetlands and WoUS are similar to those discussed for vegetation communities in Sections 4.11.3.1 ("*Construction Impacts Related to Wildlife, Fisheries and Vegetation*") and 4.11.3.2 ("*Long Term Impacts*"

Related to Wildlife, Fisheries and Vegetation”). In addition to those impacts, the potential impacts to water quality could impact the quality and extent of wetlands and WoUS. Based on the analyses presented in the RMP, adverse water quality impacts would not occur as a result of the SOCTIIP Alternatives.”

Similarly, Section 8.0 of the NES (page 8-1), entitled “*Waters of the U.S. and Wetlands*”, states:

“...indirect impacts to waters and wetlands are addressed from a vegetative community and wildlife standpoint in Section 7.0. The potential for impacts to waters and wetlands associated with changes to hydrology/hydraulics and water quality are based upon the technical analysis conducted by Psomas (2003a, 2003b, and 2003c). See Section 7.1.2.1 for a summary of the Runoff Management Plan (RMP); however, the conclusion was that water quality, groundwater, sedimentation, and hydrology/hydraulics impacts were negligible.”

F4-11

And lastly, Section 4.9.5.2, *Long Term Impacts to Water Quality*, directs the reader back to Section 4.10.4.2 for a discussion of the indirect water quality impacts. An effort should be made to compile the most salient findings from the various technical analyses and coalesce such information in Section 4.10, *Affected Environment, Impacts and Mitigation Measures Related to Wetlands and Waters of the United States*, so decision-makers are clearly informed of the totality of impacts to the aquatic ecosystem. Although the document summarizes some of the findings from the RMP, the pertinent data from other sections, such as 4.11.3.1 and 4.11.3.2, also should be integrated into Section 4.10.

The Functional Assessment, Hydrology, and Runoff Management Plan (“RMP”) Technical Reports identify adverse impacts to habitat, hydrology and water quality functions, while other sections of the Draft EIS/SEIR appear to suggest otherwise. For example, Table ES.6-1, *Summary of Adverse Impacts Before Mitigation*, in the Executive Summary reports that there would be “no adverse impacts” related to waters of the U.S. associated with operations, nor would there be any adverse impacts related to water quality, floodplains, waterways and hydrologic systems associated with construction and operations (e.g., erosion/sedimentation, surface water quality, groundwater, scouring). These conclusions are based, in part, on the assumption that Project Design Features (“PDFs”) and best management practices (“BMPs”) will be employed both during and after construction to minimize the adverse effects. Excerpts from the RMP Technical Report, which are reiterated in Section 4.8 of the Draft EIS/SEIR on mitigation measures related to floodplains, waterways and hydrologic systems, help to articulate this point as follows:

F4-12

“Reduction of Downstream Effects Caused by Changes in Flow. If changes in velocity or volume of runoff, sediment load or other hydraulic changes due to encroachment, crossings or realignment result in an increased potential for downstream effects in

channels, the TCA, or other implementing agency, will implement design features to prevent adverse effects. The features will include one or more of the following (or similar features): modifications to channel lining materials (both natural and man-made), including vegetation, geotextile mats, rock, riprap; energy dissipation devices at culvert outlets; smoothing the transition between culvert outlets/headwalls/wingwalls/ and channels to reduce turbulence and scour; incorporating retention or detention facilities into designs to reduce peak discharges, volumes and erosive flow; conduct detailed hydrologic engineering design to establish size, capacity, alignment of flood control facilities to protect the site from the 100-year flood level.” (Draft EIS/SEIR, Executive Summary, page ES-88).

“Concentrated Flow Conveyance Systems. The TCA, or other implementing agency, will implement concentrated flow conveyance systems to intercept and divert surface flows, and convey and discharge concentrated flows with minimum soil erosion, both on-site and off-site where applicable. Ditches, berms, dikes, and swales will be used to intercept and direct surface runoff to an overside drain or stabilized watercourse.” (Draft EIS/SEIR, Executive Summary, page ES-89). F4-12

While many of the adverse indirect effects associated with surface water quality, hydrology, hydraulics, erosion, and sedimentation will be attenuated through PDFs and BMPs, these are considered mitigation measures or, in other words, part of “sequencing” under the NEPA. Accordingly, unavoidable indirect effects must be clearly disclosed prior to the implementation of mitigation measures. This is important because the LEDPA is selected based upon its impacts to the environment prior to mitigation. We recommend the inclusion of appropriate summary tables and/or narrative from the NES, Functional Assessment, Hydrology and RMP Technical Reports to help describe the indirect effects resulting from the construction and operation of the proposed alternatives.

The Draft EIS/SEIR also asserts there would be no adverse indirect or cumulative effects to aquatic resources because the statutes of other regulatory entities, such as the Regional Water Quality Control Board (RWQCB), California Coastal Commission (CCC), and Department of Fish and Game (CDFG), provide safeguards for avoiding or mitigating adverse indirect and cumulative effects to aquatic resources. For instance, the text on page ES-43 states the following: “The California Coastal Act has even more stringent regulations affecting issuance of permits that would adversely affect wetlands. As such, considering the existing regulatory requirements, implementation of the cumulative projects would not result in cumulative losses of wetlands.” We disagree with these assumptions and the conclusions drawn from them. Again, the Corps requests the Draft EIS/SEIR be amended to disclose the indirect and cumulative effects on the aquatic ecosystem prior to the implementation of mitigation measures and other regulatory requirements. F4-13

Growth Inducing Effects

With the development of the approximate 23,000-acre Rancho Mission Viejo ("RMV") real property, up to approximately 7,694 acres are proposed for development for residential, commercial, and recreational uses according to their proposed action (i.e., per "B-4"; County of Orange 2004). The juxtaposition of the toll road alternatives A7C-FEC-M, FEC-M, FEC-W with respect to the proposed RMV development plan, B-4, is germane to understanding the degree to which the SOCTIIP would facilitate the timing and extent of future conversion of open space to developed areas. Section 6.0 of the Draft EIS/SEIR presents a very coherent and succinct discussion on the potential growth-inducing effects. Basically, the Draft EIS/SEIR concludes the SOCTIIP would result in indirect or growth-inducing impacts. The text specifically states: "...implementation of the SOCTIIP corridor alternatives, because they traverse the RMV, would contribute to a cumulative land use impact as a result of converting currently undeveloped land to an urban road use." Similarly, Section ES.6.6.2 in the Executive Summary of the Draft EIS/SEIR reiterates: "...[the] potential growth facilitating effects would be relatively greater for the build Alternatives that pass through primarily developing and currently undeveloped areas."

F4-14

Based on our review, we concur that the implementation of alternatives A7C-FEC-M, FEC-M, FEC-W would be more likely to influence land use in southern Orange County, particularly within the vast undeveloped areas owned by the RMV. The Corps considers growth-inducing effects synonymous with indirect effects, and acknowledges that such indirect effects contribute to the overall cumulative impact. To the extent possible, a quantification of the significant environmental resources affected by this growth-inducing impact and an appropriate and practicable means to compensate for potential losses is a responsibility of the TCA and FHWA to examine and identify. Once again, full disclosure of the project-induced impacts on waters of the U.S. is important to both the public review and the decision-making processes.

As the TCA and FHWA are aware, the County of Orange released its public Draft Environmental Impact Report (EIR) for the General Plan Amendment/Zone Change for RMV on June 10, 2004. Accordingly, we expect the SOCTIIP Final EIS/SEIR will undergo additional refinement based on the information contained in the subject EIR, especially as it pertains to growth-inducing and cumulative effects on the aquatic ecosystem.

F4-15

Mitigation

Mitigation is an important aspect of the environmental review process, particularly as it relates to our section 404 permit application evaluation and permit decision. Based upon current regulations, the TCA and FHWA are required to document the mitigation sequencing of avoidance, minimization, and lastly, compensation for the unavoidable losses of aquatic resources. For purposes of the Corps evaluation, mitigation is required to ensure that the

F4-16

SOCTIIP preferred alternative complies with the Guidelines, specifically 40 C.F.R. § 230.10(d). However, compensatory mitigation may not be used as a method to reduce the environmental impacts in the evaluation of the LEDPA for purposes of fulfilling 40 C.F.R. § 230.10(a). Pursuant to 33 C.F.R. § 320(r), mitigation requirements generally fall into three categories: 1) project modifications to minimize adverse project impacts; 2) further mitigation measures to satisfy legal requirements (e.g., the Guidelines); and 3) mitigation measures that result from the public interest review process.

F4-16

As a general comment on the SOCTIIP Draft EIS/SEIR, the absence of aquatic resources mapping and an incomplete inventory of waters of the U.S. precludes meaningfully feedback on whether all steps have been taken to avoid and minimize adverse impacts to the nation's waters.

Avoidance & Minimization of Impacts

That aside, we do support the refinement process that the TCA pursued for the original FEC alignment to avoid and minimize impacts to environmental resources, including wetlands. Based upon discussions presented in the Draft EIS/SEIR, it appears that through this process a substantial number of aquatic resources were either avoided or impacts were minimized when avoidance was not feasible. Since the CC alignment also results in significant impacts to the aquatic ecosystem, it merits an equivalent refinement process so as to not unduly bias the mitigation sequencing towards any one SOCTIIP alternative. Because the CC and CC-ALPV alternatives would directly impact approximately four acres of habitat existing within designated mitigation sites, we suggest Section 4.10.4.1 of the Final EIS/SEIR articulate what, if any, constraints precluded complete avoidance of these sites. If a refinement process to further avoid and minimize environmental impacts for the CC, CC-ALPV, A7C-ALPV, AIO and I-5 alternatives cannot be likewise implemented, the Final EIS/SEIR should explain why this is the case.

F4-17

In addition to the San Mateo Creek watershed, the Corps is particularly concerned with the impacts on the Donna O'Neill Land Conservancy. This approximate 1,200-acre conservancy supports a diverse assemblage of flora and fauna and sensitive habitat communities, including wetlands. In light of its biological sensitivity and regional ecological importance, it is recommended additional steps be initiated during the detailed design phase to further minimize impacts to aquatic resources that may be impacted by the SOCTIIP alternatives. In addition, dialogue between the TCA, FHWA, and appropriate landowners should be initiated with respect to how and where compensation would occur for these unavoidable impacts.

F4-18

Compensation of Unavoidable Impacts

Reference to the *Memorandum of Agreement Between the EPA and Corps Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines* (1990) underscores the appropriate level of mitigation is based solely on the functions and values of the

F4-19

aquatic resource that will be impacted. We judge the loss or degradation of hydrology, water quality, and habitat integrity to be particularly important in establishing appropriate compensatory mitigation measures. Therefore, as stated previously, the Corps will give full consideration to the results of the Functional Assessment in conjunction with the direct acreages of permanent impacts.

F4-19

Despite the fact the Draft EIS/SEIR provides a discussion of mitigation tenets and lists a number of conceptual mitigation elements/measures for losses to waters of the U.S., it fails to: 1) describe the specific functions and values to be enhanced/restored/created; 2) identify specific or even candidate mitigation sites; 3) describe implementation features; 4) outline schedules; 5) establish success criteria; 6) propose monitoring criteria; and 7) identify responsible parties for implementation as well as long-term management. The Final EIS/SEIR and section 404 permit application must include the mitigation management structure, candidate mitigation sites, feasibility studies, and a conceptual mitigation plan (refer to MOU Guidance Papers, dated 1994). Further, Appendix A of the MOU specifies that before approval of the Final EIS/SEIR, the Corps, EPA, and FWS must provide written preliminary agreement on the mitigation site(s). Before a permit will be issued, the Corps must approve the final draft mitigation plan and specifications.

F4-20

Adherence to the NEPA-404 Integration Process MOU

As you are aware, subsequent to the public review of this Draft EIS/SEIR, a number of procedural steps must occur as part of the Final EIS/SEIR development. Concurrent with these NEPA requirements, fulfillment of the procedures outlined in the NEPA-404 MOU is also necessary to ensure the intent of the integration process is achieved. The MOU stipulates that prior to finalization of the EIS, preliminary agreement be reached on the preferred alternative and that its compliance with the Guidelines be preliminarily determined. In doing so, several documents must be prepared and decision points achieved, including:

F4-21

- Written U.S. Fish and Wildlife (FWS) preliminary agreement in the project mitigation plan as a result of earlier Fish and Wildlife Coordination Act consultation;

- Written FWS/NOAA (Fisheries) documentation that species are not present, not likely to be affected, or non-jeopardy biological opinion if FWS/NOAA (Fisheries) have identified listed endangered and/or threatened species potentially occurring in the project;

- Section 401 certification or waiver from the Regional Water Quality Control Board(s);

- Written Corps and EPA preliminary agreement that:

- The final EIS NEPA preferred alternative is the LEDPA;
- The project will not significantly degrade the aquatic environment; and

- The project mitigation plan and implementation schedule is adequate

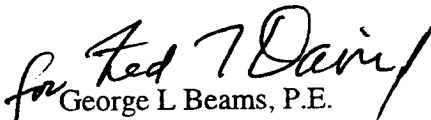
F4-21

It is the Corps' understanding that upon completion of the aforementioned steps, the Final EIS/SEIR will be circulated by FHWA for its final 30-day public review period. At that time, the Corps will issue its final PN soliciting comments from the public on the applicant's preferred alternative. The Corps, FHWA, and the TCA must address and consider all substantive public comments received on the PN and final EIS/SEIR. Subsequently, the FHWA's Record of Decision (ROD) will be prepared, at which time the applicant will develop final project design, finalize the mitigation plan and implementation schedule, and initiate right-of-way acquisition, if applicable. Commensurate with the latter activities, the Corps shall re-circulate the final EIS as required by regulation (40 C.F.R. § 1506.3, 33 C.F.R. § 230.21, and 33 C.F.R. Part 325, Appendix B). The re-circulation enables our agency to adopt the analysis and findings within the FHWA Final EIS/SEIR, so long as we are able to concur that it fulfills our NEPA and CWA responsibilities. Following issuance of the Corps' ROD, a section 404 permit decision would be rendered, including our final determination on compliance with the Guidelines and the Corps public interest review/determination.

F4-22

It is the goal of our agency to assist the TCA and FHWA in fulfilling the substantive requirements of the Guidelines and to promote the integration of the procedural aspects of the NEPA with the steps necessary for the Corps' section 404 permit decision-making process. In doing so, we offer the aforementioned comments and look forward to continued dialogue with the SOCTIIP Collaborative members. Should you have any questions regarding our comments, please contact Ms. Susan A. DeSaddi, of my staff, at (213) 452-3412 or susan.a.desaddi@usace.army.mil or myself at (213) 452-3349.

Sincerely,


George L. Beams, P.E.
Chief, Construction-Operations Division

Copies Furnished:

Macie Cleary-Milan, Deputy Director, Environmental Planning, TCA
Jill Terp, U.S. Fish and Wildlife Service
Nova Blazej, Elizabeth Varnhagen and Steven John, U.S. Environmental Protection Agency
Smita Deshpande, California Department of Transportation, District 12
Larry Rannals, U.S. Navy, Marine Corps, Camp Pendleton

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY****REGION IX****75 Hawthorne Street****San Francisco, CA 94105-3901**

August 11, 2004

Maiser Khaled
Federal Highway Administration
California Division
650 Capitol Mall, Suite 4-100
Sacramento, CA 95814

REC'D AUG 11 2004

Subject: Draft Environmental Impact Statement/Subsequent Environmental Impact Report for the South Orange County Transportation Infrastructure Improvement Project (CEQ #40213)

Dear Mr. Khaled:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 1508) and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

The Federal Highway Administration (FHWA) and the Transportation Corridor Agencies (TCA) propose a 16-mile toll road in South Orange County connecting Interstate 5 at the San Diego border to State Route 241, also known as the Foothill North Transportation Corridor. The proposed project will require an Individual Permit to discharge fill into waters of the United States under Section 404 of the Clean Water Act. Therefore, the development of this Environmental Impact Statement (EIS) has followed the NEPA/Section 404 Integration Process for Transportation Projects Memorandum of Understanding (NEPA/404 MOU). The objective of this MOU is to coordinate the requirements of NEPA and Section 404 concurrently in the development of the EIS. TCA has used the framework of the NEPA/404 MOU to create an interagency forum, the SOCTIIP Collaborative, during the development of the EIS. As a result, TCA and FHWA have developed a thorough environmental document that takes into consideration a long history of resource and transportation agency input.

Some of the specific contributions of the SOCTIIP Collaborative as reflected in the Draft EIS are: the analysis of a wide range of alternatives, including non toll road alternatives; the reduction of environmental impacts through the refinement of the toll road alternatives; and a series of sensitivity analyses to test the changes in the environmental impacts of the project under different land use scenarios. In addition, many other issues raised early on by the Collaborative members have been addressed through this forum. EPA believes that the quality of the DEIS, given the size and complexity of the proposed project and the potential environmental impacts, reflects the significant efforts of FHWA and TCA to apply the input of the Collaborative.

While EPA has actively participated in the Collaborative for several years, there are areas where we continue to have concerns about the environmental impacts of the project and the information provided in the Draft EIS. Because of the scale and location of the proposed project, each alternative will have significant impacts to the surrounding community and natural resources. TCA has worked to minimize these impacts. However, significant environmental effects would still result from the proposed project. Specific areas of continuing concern to EPA include direct and indirect impacts to water resources, impacts to water quality from construction and operation, air quality impacts, and cumulative impacts to habitat and species. Therefore, based on our review of the document, EPA has rated the EIS as EC 2, Environmental Concerns Insufficient Information. (Please see the attached summary of EPA's rating factors.)

F5-1

The next phase in the NEPA/404 MOU process, prior to the publication of the FEIS, is the identification of the least environmentally damaging practicable alternative, as defined by the Section 404(b)(1) Guidelines, and the development of a conceptual mitigation plan for impacts related to the Individual Permit. Because of the major changes anticipated in the landscape in South Orange County, due to both the proposed project and the development of Rancho Mission Viejo, appropriate mitigation for this project will be crucial to maintain ecological functions in South Orange County. Development of the Section 404 conceptual mitigation plan, as well as other mitigation required under Section 7 of the Endangered Species Act and State law, will need to be closely coordinated with the South Orange County Special Area Management Plan (SAMP) under development by the Army Corps of Engineers for the preservation of water resources and the South Orange County Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) currently under development by the California State Department of Fish and Game and the U.S. Fish and Wildlife Service.

F5-2

EPA recommends that FHWA and TCA work closely with the SAMP and NCCP/HCP planning processes to ensure that mitigation commitments support the broader conservation goals of the SAMP and NCCP/HCP. An area of particular concern to EPA in the development of mitigation for SOCTIIP is ensuring the establishment of long-term funding and maintenance plans for the proposed mitigation. We request that specific mitigation strategies and maintenance plans be included in detail in the FEIS.

F5-3

EPA looks forward to working with FHWA and TCA through the process of identifying appropriate mitigation and remains committed to an active role in the SOCTIIP Collaborative. We appreciate the opportunity to review this DEIS. When the Final EIS is released for public review, please send two copies to the address above (mail code: CMD 2). If you have any questions, please contact me at (415) 972-3843. Your staff may contact Liz Varnhagen at (415) 972-3845 or Steven John at (213) 244-1804, the lead reviewers for this project.

Sincerely,



Enrique Manzanilla, Director
Cross Media Division

Enclosures:

**Summary of EPA Rating Definitions
EPA's Detailed Comments**

**cc: James Brown, Transportation Corridor Agencies
Macie Cleary Milan, Transportation Corridor Agencies
Gary Winters, Caltrans Headquarters
Lisa Ramsey, Caltrans, District 12
David Turk, U.S. Army Corps of Engineers, Los Angeles District Office
Susan DeSaddi, U.S. Army Corps of Engineers, Los Angeles District Office
Jim Bartel, U.S. Fish and Wildlife Service, Carlsbad District Office
Jill Terp, U.S. Fish and Wildlife Service, Carlsbad District Office
Jim Omans, Marine Corps Headquarters
Larry Rannals, Marine Corps Base Camp Pendleton**

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT (DEIS) FOR THE SOUTHERN ORANGE COUNTY TRANSPORTATION
INFRASTRUCTURE IMPROVEMENT PROJECT (SOCTIIP)
AUGUST 6, 2004

I. AQUATIC RESOURCES

Modified Alternative Alignments

The DEIS documents the measures undertaken by the Transportation Corridor Agencies (TCA) to refine the alternatives under consideration to avoid impacts to waters of the United States, as well as other resources. Modifications of several of the proposed alignments to avoid significant aquatic resources, including special aquatic sites, in the Blind and Gabino Canyons (FEC-M and FEC-W) and to the wetlands of Cristianitos Canyon (A7C-FEC-M) resulted in substantial reductions in adverse impacts to these waters and wetlands. EPA commends the efforts of TCA to reconfigure these alternatives to comply with the requirements of the Clean Water Act Section 404(b)(1) Guidelines to avoid and minimize adverse impacts to waters and special aquatic sites of the United States (40 CFR 230.10[a]).

F5-4

Need for Jurisdictional Delineations

The DEIS utilizes a planning-level delineation of waters of the United States to measure the project-related impacts to aquatic resources from the alternative alignments. While this planning-level delineation provides a relative measure of the acreage of impacts to water resources, this information does not provide the required accuracy or description of the types of aquatic habitats and the environmental settings impacted. To allow for a regulatory determination of the significance of the impacts to jurisdictional waters, specific acreage, locations, and classification of the types of aquatic resources affected is required. Specifically, information on the acres of special aquatic sites, open waters, and perennial, intermittent, and ephemeral streams is needed. Similarly, this information is necessary to evaluate the interconnection among aquatic resources and to evaluate how aquatic functions and values are affected by impacts to the surrounding environmental resources.

F5-5

As stated in the DEIS, a three-parameter, field validated jurisdictional delineation will be prepared for selected alternatives (page 4.10-7). The three-parameter jurisdictional delineation will provide a basis for measuring direct, indirect, and cumulative impacts to specific categories of waters of the U.S. (e.g., riparian, freshwater marsh, open water, perennial streams, ephemeral and intermittent waters) and will result in a more complete assessment of the magnitude and scope of aquatic resource impacts. This jurisdictional information, in conjunction with the assessment of aquatic resource functions and values presented in the DEIS, will be used in the identification of the least environmentally damaging practicable alternative as required for permitting under the Section 404(b)(1) Guidelines (40 CFR 230)¹.

F5-6

¹ TCA has been provided with a copy of the Corps of Engineers validated three-parameter jurisdictional delineation of waters of the U.S. prepared for Rancho Mission Viejo lands. The resource and regulatory agencies of the SOCTIIP Collaborative have coordinated with TCA on procedures to be followed to ensure complete coverage of the SOCTIIP planning area, including any additional delineation of waters of the U.S. to supplement the validated RMV jurisdictional delineation.

Recommendation:

The results of the validated jurisdictional delineation for all alternatives determined to be practicable should be presented in the Final EIS (FEIS) to demonstrate compliance with the Section 404(b)(1) Guidelines.

F5-6

Aquatic Resources of National Importance

Information provided in the DEIS demonstrates the value and importance of the aquatic resources of southern Orange County. The Special Area Management Plan (SAMP) being prepared by the U.S. Army Corps of Engineers for the San Juan Creek and San Mateo Creek watersheds, and the wildlife, vegetation, and fisheries resource information provided in the southern Orange County Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) further document the high quality and importance of the aquatic and environmental resources in this area. The unique character and quality of many of the special aquatic sites and waters of the U.S. in the SOCTIIP study area qualify as "aquatic resources of national importance" based on a previous regulatory action by EPA and the Los Angeles District Army Corps of Engineers. Implementation of measures to avoid and minimize impacts to these aquatic resources, as well as compensatory mitigation to fully offset any remaining impacts, will be necessary to avoid a determination by EPA that the impacts to these aquatic resources of national importance are substantial and unacceptable. A Section 404 permit for discharge of fill material to waters of the U.S. cannot be issued for discharges where a determination of substantial and unacceptable impacts to nationally important aquatic resources has been made.

F5-7

Recommendation:

TCA should work with the Collaborative to avoid and minimize impacts to aquatic resources of national importance to the greatest extent practicable. EPA is committed to working with TCA and the Collaborative to provide the highest possible level of protection for the aquatic resources of southern Orange County and the creation of a successful mitigation program. A description of this process and the conceptual mitigation plan should be included in the FEIS.

Distinguishing Special Aquatic Sites from Other Waters of the U.S.

In describing aquatic resources, the DEIS does not use terms or definitions that are consistent with Section 404 of the Clean Water Act or the 404(b)(1) Guidelines (e.g., page ES-41). It is unclear whether the terms "waters of the United States" and "wetlands" are used interchangeably. Wetlands and other special aquatic sites are a subset of the larger, inclusive list of all waters of the U.S. All of these special aquatic sites (i.e., sanctuaries and refuges, wetlands, mudflats, vegetated shallows, coral reefs, riffle and pool complexes), as defined in the 404(b)(1) Guidelines (40 CFR 230.40 - 230.45), are afforded higher levels of regulatory protection than other waters of the U.S. The lack of specificity of the DEIS language with regard to waters of the U.S. and wetlands prevents a reliable comparison of the impacts of the alternatives to aquatic resources or an assessment of compliance with the requirements of the 404(b)(1) Guidelines.

F5-8

Recommendation:

To facilitate the comparison of impacts to all aquatic resources from the proposed alternatives, and to ensure that special aquatic sites receive the higher level of protection required under the 404(b)(1) Guidelines, the FEIS should be prepared using precise regulatory language and definitions of waters of the U.S. and special aquatic sites. Specifically, the FEIS should report the total impacts to all waters of the U.S., including any impacts to special aquatic sites. Additionally, the FEIS should quantify the impacts to specific types of aquatic resources (e.g., wetlands, open waters, ephemeral, perennial, intermittent streams) such that, for each alternative, the sum of the impacts to each type of aquatic resource equals the total impacts to waters of the U.S. affected by the proposed alternative.

F5-8

Avoidance and Minimization and Project Design

The 404(b)(1) Guidelines require that impacts to waters of the U.S. are avoided and minimized to the maximum extent practicable, with a higher standard for demonstrating adequate avoidance and minimization of impacts to special aquatic sites than for other waters of the U.S. As noted previously, TCA has identified opportunities to avoid wetlands and other waters of the U.S. by redirecting several of the project alternative alignments away from known locations of aquatic resources. These efforts have substantially reduced the level of impacts to these regulated waters when compared to alternative alignments considered earlier in the SOCTIIP Collaborative process. Using the validated jurisdictional delineation of waters of the U.S. that will be incorporated into the FEIS, TCA and the Collaborative will have another opportunity to refine the alignments to further avoid aquatic resources.

Minimization of impacts to wetlands and other waters of the U.S. typically requires a higher resolution of design information than is included in the DEIS. In addition to a valid jurisdictional delineation, it is necessary to identify the specific location and nature of impacts to aquatic resources (e.g., direct fill, restriction of hydrologic connectivity). Minimization of impacts entails identifying opportunities to reduce the magnitude of avoidable impacts to aquatic resources. For example, spanning perennial, intermittent or ephemeral streams versus filling and rerouting the flow would reduce the level of impacts on the hydrology of the upstream and downstream portions of these waterways. Similarly, modifications to the citing, alignment, or design of a bridge, including the location and number of supporting structures, can result in minimizing the impacts from a necessary crossing of a waterway.

F5-9

Recommendation:

While EPA recognizes the limitations on the DEIS to provide this greater level of detail, the FEIS should include more design information at each location of an impact to a wetland or other water of the U.S. The design information should be cross-referenced to a detailed description of the direct, indirect, and cumulative effects to the aquatic resource at the impact location. EPA is available to work with TCA and the Collaborative to conduct this higher resolution impact analysis to identify avoidance and minimization opportunities.

Mitigation – Coordination with SAMP and NCCP/HCP

As noted in the DEIS, the 404(b)(1) Guidelines require compensatory mitigation to offset adverse impacts to regulated aquatic resources. The typical goal of a compensatory mitigation program for wetlands and other waters of the U.S. is to ensure full replacement of lost aquatic functions and values. While the DEIS provides an inventory of measures intended to mitigate for construction-related impacts to aquatic resources (Section 8.10), a conceptual mitigation plan has not yet been developed.

The DEIS indicates that the proposed alternatives will significantly impact natural resources within the study area. Consistent with the large scale of impacts from the proposed SOCTIIP facility, the compensatory mitigation measures should be similarly broad. The specific identification of project-related impacts that will be possible with the higher resolution of jurisdictional delineation of waters of the U.S. and project design details will help facilitate the creation of a mitigation program to ensure full compensation for project-related environmental impacts.

A unique opportunity exists in the SOCTIIP project area to create a mitigation program that benefits the whole region. As mentioned in the DEIS, several large resource inventory and conservation planning efforts are under development in southern Orange County. The aquatic resource information provided by the SAMP, along with the wildlife, vegetation, and fisheries resource information provided in the NCCP/HCP, will be important tools for establishing a SOCTIIP mitigation program that will provide region-wide benefits.

F5-10

Recommendation:

EPA encourages FHWA and TCA to identify mitigation measures that are consistent with the conservation, restoration, and protection recommendations of the SAMP and NCCP/HCP. The SOCTIIP mitigation program should prioritize areas that supplement the existing nature reserves identified in these plans, seeking compensatory mitigation that enhances and further protects these aquatic and environmental resources.

Additionally, new reserves should be considered in areas of critical environmental importance. EPA encourages TCA to continue to work closely with the Collaborative in the drafting of the SOCTIIP compensatory mitigation and stewardship plan. A commitment to financially support the long-term maintenance of these mitigation strategies should be incorporated in the compensatory mitigation plan.

Compensation for Loss of Conservancy Land

TCA's successful effort to avoid adverse impacts to wetlands and other waters of the U.S. in Blind and Gabino Canyons by moving two of the proposed alternative alignments to the western portion of the Donna O'Neill Land Conservancy would adversely impact Conservancy lands.

F5-11

Recommendation:

As part of the SOCTIIP mitigation program, EPA encourages TCA to evaluate opportunities (e.g., land acquisition) to offset the direct and indirect impacts of a SOCTIIP corridor within the current boundaries of the Conservancy. The FEIS should clearly identify the resource value of the Conservancy lands that are affected by the project. For unavoidable impacts to conservation areas with high resource value, replacement-to-loss mitigation ratios should be greater than 1:1. Similarly, EPA recommends that TCA identify and implement conservation measures to permanently protect the ecologically significant aquatic resources in Blind and Gabino Canyons that were avoided by these alignment modifications.

F5-11

Offsetting Impacts to Water Quality

The DEIS cites the Runoff Management Plan (RMP) to demonstrate that none of the project alternative alignments would result in additional sources of polluted runoff requiring supplemental treatment (page 4.10-13). Similarly, the DEIS cites analyses for increases in runoff volumes and velocities, impacts on surface waters quality, and impacts on groundwater recharge for each alternative alignment with the conclusion that implementation of Best Management Practices (BMPs) would effectively reduce all impacts to insignificance.

However, the DEIS does not address the implementation of the BMPs analytically. It is important to demonstrate that the tools and methods that comprise the RMP or BMPs, when implemented, will be sufficient to minimize all water quality impacts. Without this information, it is not possible to evaluate whether impacts to water quality from construction and operation of the SOCTIIP facility will fully compensate for project-related impacts.

F5-12

Further, if the RMP and BMPs are not able to fully minimize and offset adverse impacts to water quality, then it is likely that there will be significant cumulative adverse effects to water quality within the area from this project and other roads and development. This should be reflected in the cumulative impacts section (Section 5.3.8.1, page 5-31).

Recommendation:

A more thorough analysis of the potential water quality impacts and the set of BMPs that will minimize and offset the effects should be provided in the FEIS. The FEIS should fully disclose: 1) all water quality impacts for each segment corresponding to drainage basin, 2) avoidance measures employed, and 3) which BMP(s) would be used to rectify any corridor-related water quality impacts.

II. OTHER NATURAL RESOURCES

Impacts to Wildlife and Habitat

The DEIS identifies large-scale impacts to wildlife and habitat from the SOCTIIP alternatives, such as habitat loss and fragmentation and associated indirect impacts. The DEIS proposes extensive mitigation measures to offset many of these impacts. Most of the measures are labor- and cost-intensive, and focus on reducing impacts during project planning and

F5-13

construction. Additional long-term commitments, such as providing fencing along the entire length of the alignment and studying and maintaining wildlife crossings, are very labor intensive and expensive, and will require continued funding. The DEIS does not specify how funding for these mitigation measures will be maintained by TCA in the near future or by Caltrans once operational responsibility for the proposed facility is transferred to the State.

F5-13

The DEIS describes a 1,182-acre reserve referred to as Upper Chiquita Canyon Conservation Area that was set aside to offset impacts of past TCA projects, but which contains 327 credits still available to partially offset impacts from SOCTIIP. The DEIS description of this conservation area is general. The DEIS does not provide a thorough description of how those credits might be applied to specific native plants and animal communities impacted by SOCTIIP, the extent that these credits can offset impacts to biological resources from SOCTIIP, or a map of this conservation area relative to the SOCTIIP project.

F5-14

Several of the SOCTIIP alignments traverse areas that are identified as open space for the Rancho Mission Viejo (RMV) proposed development. The DEIS does not indicate whether impacts from SOCTIIP would compromise mitigation credits anticipated by RMV. Further, how FHWA and TCA will compensate for encroachments in areas set aside specifically for the purpose of offsetting impacts from other projects is not discussed.

F5-15

Recommendation:

To ensure success of the proposed mitigation in perpetuity, the FEIS should identify how mitigation commitments will be implemented for the long-term. There should be either a dedicated long-term funding source for Caltrans or a guarantee from Caltrans that their assumed responsibility to maintain structures and facilities for wildlife associated with the project, such as maintaining the fencing and wildlife undercrossings, would be a priority in times of fiscal limitations.

F5-16

The FEIS should contain more details about the Upper Chiquita Canyon Conservation Area, including a map, and how the available mitigation credits will be applied within this conservation area.

The FEIS should assess the impacts of the proposed SOCTIIP alternatives on areas that are committed to serve as mitigation for other development projects, and specify how losses to those mitigation areas will be compensated.

Impacts to Endangered Species

Table 4.12-3, *Summary of Direct Impacts to Threatened and Endangered Species*, lists impacts in the form of numbers of individuals observed within the rights-of-way of the alternatives (page 4.12-51). While surveys are necessary to determine whether potential habitat is occupied by a threatened or endangered species, suitable habitat that could be impacted either directly or indirectly by each alternative should be considered in addition to the number of individuals observed.

F5-17

Table 4.12-4, *Critical Habitat Impacts by Ultimate Project Alternatives*, which is an important parameter for comparing impacts among project alternatives, uses incompatible measures of quantifying impacts to critical habitat (page 4.12-52). For example, miles and kilometers are used to quantify the area of critical habitat that will be impacted by the proposed alternatives. Impacts should be expressed in terms of acres and hectares.

Recommendations:

The FEIS should assess the area of suitable habitat for all threatened and endangered species that occurs within and close to the right-of-way of each project alternative. The results should be presented along with the numbers of individuals observed, in Table 4.12-3.

F5-17

Table 4.12-4 should be revised in the FEIS to include potential impacts to critical habitat in acres and hectares for all affected species.

III. CUMULATIVE IMPACTS

The cumulative impacts section presents a good discussion of the transformation of the landscape within the study area over time, including the potential future effects of planning processes related to RMV, SAMP, and NCCP/HCP. Given the anticipated environmental transformation, the document accurately captures the cumulative effect of future projects on environmental resources as "more profound" because remaining resources are already highly threatened (page 5-30). Also, we commend TCA and FHWA for the clear presentation of the cumulative impacts analyses including identifying the cumulative impacts study area for each resource, identifying the methodology used in the analyses, providing a comprehensive list of reasonably foreseeable projects, and identifying the current condition or health of each resource analyzed. This is a well structured cumulative impacts analysis, and should be considered as a model for other transportation projects.

F5-18

Coordinating SOCTIIP with the RMV, SAMP, and NCCP/HCP

Section 5.3.9 discusses the significant adverse cumulative impacts to biological resources through habitat fragmentation and other direct and indirect impacts. The DEIS states that in many cases, the exact manner of mitigation for these impacts "cannot be determined at this time" (Sec. 5.3.9.3). Significant adverse impacts to the last, substantial undeveloped privately-owned land in southern Orange County underscore the importance and opportunity of actively working with RMV and the SAMP and NCCP/HCP planning processes to preserve landscape connectivity and ecological functions to the greatest extent possible in this rapidly developing area. Sections 4-10, -11, and -12 provide a thorough mitigation framework for impacts related to water, vegetation, and wildlife species. In addition, TCA has done an excellent job through the alignment refinement process to further avoid and minimize impacts to resources. A mitigation strategy that will accommodate development and also preserve southern Orange County's unique natural heritage is critical. Section 4.11.4 provides a good, general description of how mitigation

F5-19

planning will be approached and coordinated with the SOCTIIP Collaborative, RMV and the SAMP and NCCP/HCP planning processes.

Recommendation:

Conceptual mitigation planning that addresses cumulative impacts should be included in the FEIS. After a preferred alternative has been selected, TCA and FHWA should develop a clear process for the development of mitigation plans in coordination with State and Federal agencies and other stakeholders. A description of this process and the resulting mitigation plans should be included in the FEIS. This kind of a mitigation planning approach is a tremendous environmental stewardship opportunity for the transportation agencies and the Collaborative.

F5-19

Cumulative Impacts to Wetlands and Waters of the United States

The DEIS states that the implementation of existing regulatory requirements will ensure that there are no adverse cumulative impacts to waters of the U.S. from reasonably foreseeable projects. This statement is not accurate since adverse temporal, spatial, and ecosystem impacts will occur to wetlands and waters of the U.S. in the study area from reasonably foreseeable projects even though these impacts will be authorized.

The policy goal of federal regulatory agencies is “no net loss” of acreage and functions of aquatic resources. However, the loss of wetlands may be compensated off-site, replaced later in time, or represent different values and functions than the wetlands that are replaced. While the number of lost acres of wetlands may be compensated, there can still be a cumulative loss to the hydrologic system that supports wetlands and other waters of the U.S. Through this landscape transformation, vital wetland values and functions can be lost that result in adverse cumulative impacts.

F5-20

Recommendation:

The DEIS should account for the adverse cumulative impacts that will accrue to wetlands and waters of the United States from temporal, spatial, and ecosystem changes to hydrologic systems resulting from past and reasonably foreseeable projects. The DEIS should specifically discuss cumulative impacts to hydrologic values and functions and whether implementation of the SAMP may alleviate some of these adverse cumulative impacts.

IV. AIR QUALITY

Inclusion of Re-entrained PM10 Emissions in the Regional, Sub-regional, and Hotspot Analyses

EPA understands from TCA that the regional/sub-regional analyses for particulate matter less than 10 microns in diameter (PM10) did not include paved and unpaved roadway particulate emissions, i.e., re-entrained PM10. The 2003 South Coast Air Quality Management Plan identifies re-entrained PM10 as representing approximately half of the total PM10 emissions in the South Coast Air Basin. This basin is designated a serious non-attainment area for PM10. Thus, the omission of re-entrained PM10 emissions could lead to a substantial underestimation

F5-21

of PM10 emissions in the regional, sub-regional and hotspot analyses. The air quality analyses in the FEIS should include re-entrained PM10 emissions, with appropriate mitigation measures.

Recommendation:

The FEIS should include revised regional, sub regional and hotspot PM10 analyses that account for re-entrained PM10 emissions from both paved and unpaved roads. The re-entrained emissions can be estimated using the procedures approved by EPA for use in the South Coast Air Basin to estimate re-entrained PM10, or using EPA's AP-42 emission model.

F5-21

Local Air Quality Impacts from Particulate Matter (PM10) Emissions

In addition to not including re-entrained emissions, the local air quality assessment in the DEIS does not follow the FHWA Guidance for Qualitative Project Level Hot Spot Analysis. Although characterized as a "qualitative" assessment, it needs to be analytical and approached through consultation with participating local, State, and Federal agencies.

Recommendation:

The FEIS should include a revised PM10 hotspot analysis. The analysis should follow the FHWA Guidance completely, including: a) using an analytical method agreed to through the consultation process; b) providing a reasoned explanation of conclusions based on data and analyses as specified in the Guidance (pertaining to re-entrained emissions, changes in VMT, speeds, routes of diesel vehicles, construction within the area, etc.); c) comparing build alternatives with the No Build alternatives; and d) explaining clearly whether the project would create or contribute to PM10 violations.

F5-22

Local Air Quality Impacts from Carbon Monoxide (CO) Emissions

The Air Quality Technical Report concludes that none of the local air quality impacts of the build alternatives will result in an exceedance of either the 1- or 8-hour State or Federal CO air quality standards. Further, the DEIS states that none of the build alternatives will result in an adverse impact on CO levels (page 4-67).

EPA is concerned that these conclusions may be incorrect. The analyses that support the DEIS findings did not follow EPA required procedures and deviate from the methods outlined in the Caltrans Protocol. The methods that were used likely underestimate the CO emission levels.

F5-23

Specifically:

- The CO receptors were located 8 meters or more from the roadway, however, EPA requires a distance of 3 meters. The Caltrans Protocol calls for using 3 meters and for consultation with the local air district should receptor placement become an important issue for project approvability, which may be the case for this project. CO levels measured at 8 meters, as done in the DEIS analysis, would generally be lower than CO levels measured at 3 meters.

- The DEIS uses four receptors per intersection. EPA recommends the application of at least 36 receptors placed 3 meters from the roadway in lines along roadway edges of the four legs of the intersection in question. Where there are more than 4 legs, additional receptors may be needed. F5-24
- The technical report indicates that because of the continuing trend of emissions reductions for CO, emissions per mile in 2025 are projected to be less than a third of what they will be in 2008. The worst case year would therefore be 2008. However, the analyses that were performed used 2025 as the worst case year. Again, CO levels would be substantially lower in 2025 than in 2008. Additionally, Caltrans requires analyzing emissions in the build year. F5-25
- The background level used for 2008 appears to be low. The DEIS used a value was interpolated between the $2.3 \mu\text{g}/\text{m}^3$ for 2018 and $3.1 \mu\text{g}/\text{m}^3$ for current conditions and came up with $2.4 \mu\text{g}/\text{m}^3$ for 2008. Documentation to justify this background level should be provided. F5-26

Recommendation:

The FEIS should present the results of revised local CO emissions analyses that fully meet EPA's and Caltrans' requirements. The results should clearly demonstrate that the preferred alternative will eliminate or reduce the severity and number of CO violations and not cause or contribute to any new violations in the area. This is necessary to meet Transportation Conformity requirements. F5-27

Operational Nitrogen Oxides (NOx) Emissions Exceeding SCAQMD Thresholds

The forecast emissions modeling in the DEIS indicates that emissions of NOx are expected to exceed the thresholds set by the South Coast Air Quality Management District (SCAQMD). While the DEIS uses SCAQMD thresholds for findings of significance under the California Environmental Quality Act (CEQA), the DEIS does not indicate whether or not these emission levels may lead to an exceedance of National Ambient Air Quality Standards (NAAQS).

Although South Coast Air Basin is currently designated by EPA as a maintenance area for nitrogen dioxide (NO₂), high NOx emissions are of concern to EPA for two reasons. First, NOx is a primary precursor of ozone, for which the South Coast is in extreme non-attainment, and second, NOx emissions contribute to particulate matter concentrations, for which South Coast is currently in serious non-attainment for PM10, and in violation of PM2.5 standards. F5-28

The DEIS discloses that NOx emissions will be significant under CEQA. However, the DEIS does not recommend mitigation to offset this impact. Because NOx emissions are considered high relative to the SCAQMD threshold, the FEIS should identify ways of offsetting NOx emissions.

Recommendation:

Vehicle emissions of NO_x are high when vehicles operate at fast speeds. To lower NO_x emissions, FHWA, TCA, and Caltrans should consider options to reduce high vehicle operating speeds, such as lowering the design speed and speed limits of the proposed project, funding additional speed enforcement, and conducting driver education campaigns to reduce speeding. Mitigation measures identified in the FEIS should include commitments to be made in the Record of Decision (ROD). The FEIS should also specify whether the operational NO_x emissions will contribute to exceedances of NAAQS.

F5-28

Construction Equipment Emissions

The DEIS indicates that the emissions generated by construction of the SOCTIIP build alternatives are projected to substantially exceed the SCAQMD daily thresholds for all criteria pollutants. Because South Coast Air Basin is in non-attainment for ozone, PM₁₀ and CO, and is a maintenance area for NO₂, all steps should be taken to reduce projected construction emissions to below the SCAQMD thresholds. While the DEIS identifies mitigation measures, the document does not include an analysis of the emissions reductions that would be accomplished through the application of these mitigation measures.

The DEIS appropriately references the SCAQMD Rule 403, which requires mitigation measures for construction emissions. As mitigation, the measures identified in Tables 1 and 2 from this rule will be implemented for dust control. Other air quality mitigation measures are proposed in AQ-3, -4, -5, -6 and -7, but these primarily address PM₁₀ and not emissions of other criteria pollutants and precursors. There are many other measures that are available and appropriate to help reduce construction emissions.

Recommendation:

The FEIS should contain the specific measures that will be implemented for compliance with Rule 403 (April 2, 2004), and the document should identify the resulting emissions reductions that will accrue with these mitigation measures. Rule 403 requires a dust control supervisor for sites 50 acres or greater beginning January 1, 2005 and notification to SCAQMD or a SCAQMD-approved dust control plan.

F5-29

The FEIS should include a more comprehensive list of air quality mitigation measures. The extent to which these measures will be adopted should be determined by an analysis of how the necessary reductions in various emissions will be achieved to reduce construction emissions below SCAQMD thresholds.

EPA encourages the development of a comprehensive Mitigation, Monitoring and Reporting Plan for all construction emissions. The Plan would be subject to review by SCAQMD, TCA, Caltrans, and EPA. The Plan should specify the implementation of most of the measures listed below which we believe are warranted for this project:

- Use ultra low sulfur fuel (< 15 ppm) in all diesel engines.
- Use add-on controls such as catalysts and particulate traps where suitable.
- Minimize engine idling (e.g., 5-10 minutes/hour).
- Use equipment that runs on clean, alternative fuels as much as possible.
- Use updated construction equipment that was either manufactured after in 1996 or retrofit to meet the 1996 emissions standards.
- Prohibit engine tampering and require continuing adherence to manufacturers' recommendations.
- Maintain engines in top running condition tuned to manufacturers' specifications.
- Phase project construction to minimize exposed surface areas.
- Reduce speeds to 10 and 15 mph in construction zones.
- Conduct unannounced site inspections to ensure compliance.
- Locate haul truck routes and staging areas away from sensitive population centers.

F5-29

Updated Air Quality Information

Some of the information in Section 4.7.1.3 of the DEIS describing recent air quality attainment designations and new requirements is incomplete. For example, information that should be provided in the FEIS includes:

- The South Coast Air Basin was designated as a severe non-attainment area for the 8-hour ozone standard in April 2004 with the requirement to achieve expeditiously but no later than 2021;
- The South Coast is currently designated as a maintenance area for NO₂;
- The San Diego Air Basin was designated as non-attainment for the 8-hour ozone standard and is classified as a "basic" area with a 2009 attainment deadline;
- The San Diego Air Basin is a maintenance area for CO;
- The Clean Air Act requires EPA to designate non-attainment areas for particulate matter less than 2.5 microns in diameter (PM_{2.5}) not later than December 31, 2004, and EPA has concurred with the State's recommendation that the South Coast and San Diego be designated non-attainment for PM_{2.5}; and
- New conformity regulations for 8-hour ozone and PM_{2.5} were published on July 1, 2004.

F5-30

Recommendation:

The FEIS should describe the most current information pertaining to attainment designations and conformity requirements within the South Coast and San Diego Air Basins for all criteria pollutants. The document should present the attainment designations for both 8-hour ozone and PM 2.5, and insert PM_{2.5} monitoring data into Table 4.7-2. The FEIS should describe the required implementation dates for the new designations and conformity requirements in the context of whether and how they will be applied in the planning and approval of SOCTIIP. In addition, if non-attainment designations for PM_{2.5} apply to the SOCTIIP study area, the FEIS should list and describe appropriate control measures that may be required.

F5-31

Analysis of Air Toxics

EPA appreciates the analysis of diesel particulate matter in the document, as this information is an important part of public disclosure. We understand that the analysis was prepared as part of the CEQA evaluation, and as such, characterizes the emissions in terms of the unit risk estimate for diesel exhaust. To make the analysis more accessible to a broader audience, we prefer that the diesel PM be characterized as emission concentrations. In addition, the document should provide general information about the six priority mobile source air toxics (acetaldehyde, acrolein, benzene, 1,3-butadiene, formaldehyde, and diesel particulate matter) and their known health effects. While diesel PM is the most relevant mobile source air toxic to SOCTIP, diesel PM is the only mobile source air toxic addressed in the document. Others should be addressed as well.

EPA does not agree with the statement, "there are currently no quantitative tools to assess the project's air toxics impact" (page 4.7-38). The MOBILE 6.2 model is capable of generating estimates of air toxics emissions, and there are a variety of dispersion models available. Although a regulatory standard to determine the significance of air toxics emissions does not exist at this time, a comparison of emissions and affected populations among the various project alternatives would be informative.

F5-32

Recommendation:

For public disclosure, the FEIS should describe the six priority mobile source air toxics and their effects on public health. The document should also explain the importance of diesel PM emissions and its potential effects on health in reference to this project and sensitive populations within the study area. Projected diesel PM emissions should be presented as emissions concentrations.

The statement on page 5-51 of the Air Quality Technical Report, "This analysis is for information only as there is not yet wide agreement about the effects of DPM, or the methodology to analyze the effects" should be deleted. The health science surrounding diesel particulate matter is not speculative. (See www.epa.gov/otaq/toxics.htm)

V. TRAFFIC AND CIRCULATION

Induced Travel Demand Effect

The DEIS concludes that the induced travel demand effect is minor and states, "the SCSAM results indicated that the difference in the magnitude of improvement with and without feedback loops is no more than one percent of the peak hour or ADT volumes forecast on I-5, and less than one percent of the VMT or VHT forecast in southern Orange County" (p. 3-10). The data supporting this statement is not included in the DEIS or the Traffic and Circulation Technical Report.

F5-33

Recommendation:

The data from the application of feedback loops that supports the statement referenced above should be included in the FEIS or the final Traffic and Circulation Technical Report. This data should also be accompanied by an explanation of how the percentage differences between the SCSAM results with and without the feedback loops were derived. This information is important because significant differences between the static and feedback loop analyses would indicate that the traffic benefits of the project may be overestimated and the air quality impacts underestimated.

F5-33

Validation and Endorsement of the Traffic Study

The DEIS incorrectly states that the traffic study has the validation and endorsement of the SOCTIIP Collaborative (pages 3-3, 3-6). EPA as a Collaborative member provided input into the development of the traffic study. However, EPA did not validate or endorse the study.

F5-34

VI. INDUCED GROWTH

The DEIS qualitatively describes how the SOCTIIP alternatives may induce new land development in the region. The discussion concludes that the project is not expected to influence the amount of growth in the study area with respect to the RMV property, but it may affect the location, timing, or localized intensity of growth in developing areas. The DEIS also concludes that SOCTIIP will not induce growth due to reduced commute time between northern San Diego or central Orange County, largely due to the length of time required to travel past Camp Pendleton.

EPA commends TCA for addressing this topic and presenting the findings in a manner that can be readily understood. However, the study would be improved with a more specific comparison of the potential of each of the SOCTIIP alternatives to induce or influence development. Through EPA's participation in the Collaborative, EPA has consistently recommended that the growth inducement analysis should be validated through a peer review process. EPA understands that a peer review process was initiated, but not completed, prior to the release of the DEIS. This peer review can validate or amend the findings of the induced growth analysis. This information is important, as the findings of the growth inducement analysis may be relevant in selection of the least environmentally damaging practicable alternative.

F5-35

Recommendation:

The peer review of the growth inducement analysis should be completed. The Collaborative should have the opportunity to review and discuss the findings of the peer review panel as soon as they are available. The growth inducement chapter should be revised as appropriate and included in the FEIS.

SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."



United States Department of the Interior

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September 9, 2004

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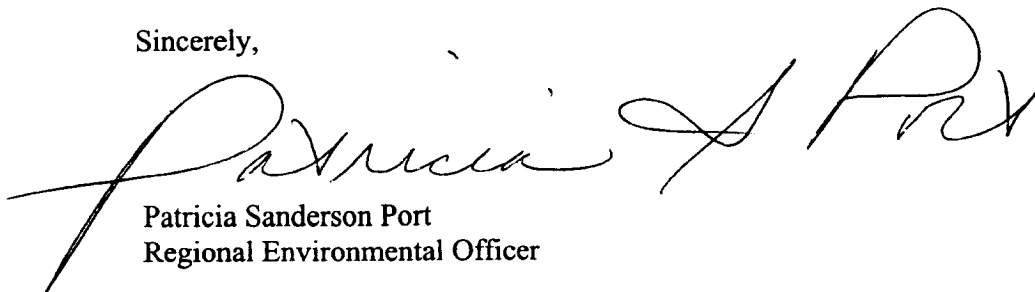
Subject: Comments on the Draft Environmental Impact Statement for the South Orange County Transportation Infrastructure Improvement Project, Orange and San Diego Counties, California (ER 04/0543)

Dear Ms. Levario,

The Department of the Interior has received and reviewed the subject document and has the following comments to offer.

Please see attached comments from Fish and Wildlife Service.

Sincerely,



Patricia Sanderson Port
Regional Environmental Officer

cc: Director, OEPC
RD, FWS Portland, OR
RD, NPS Oakland, CA

General Comments

This review of the Draft Environmental Impact Statement (DEIS) for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) is limited to portions of Volumes 3 and 4 dealing with Affected Environment, Impacts, and Mitigation Measures related to Wetlands and Waters of the United States; Wildlife, Fisheries and Vegetation; Threatened and Endangered Species; and Cumulative Impacts. The U.S. Fish and Wildlife Service (Service) previously provided extensive comments on the draft Natural Environment Study (NES) which (as later revised) formed the basis for the biological resources sections of this DEIS. The DEIS, however, is still missing important information on wildlife, wetland and water resource impacts that are likely to occur under the various alternatives.

F6-1

Toll Road Alternatives

The proposed toll road alternatives are very large scale projects that, by nature of their respective footprints through undeveloped portions of Rancho Mission Viejo and Marine Corps Base Camp Pendleton, would have extensive biological impacts. Based on information in the DEIS, several hundred to a thousand acres of native grassland, riparian and oak woodland would be impacted by the toll road alternatives (Table 4.11-5). These substantial impacts to native habitats would have significant direct and indirect adverse effects to sensitive species, including federally and State listed threatened and endangered species (Table 4.12-3). The more easterly toll roads all pass through Camp Pendleton and connect with Interstate Route 5 (I-5). These typically would have even greater losses of native habitat and more severe impacts/adverse effects to sensitive species (including all listed species) than the shorter toll road alternatives. The shorter toll road alternatives connect to I-5 through the San Clemente area, and generally would have lesser impacts to sensitive habitat and species because of their reduced project footprint (Tables 4.11-5 and 4.12-3). However, all the toll road alternatives would have substantial adverse impacts to habitat and species and, as discussed below (see comments under Cumulative Impacts), would have negative implications for the success of long-term conservation and development planning efforts that are well underway for southern Orange County.

F6-2

Non-Toll Road Alternatives

The non-toll road alternatives are also large scale projects, however, they would occur in areas previously impacted by roads or other urbanization and thus their impacts to sensitive habitats and species and regional conservation planning would be significantly lower than any of the toll road alternatives. Both the Arterial Improvements Only alternative (AIO) and Interstate 5 widening alternative (I-5) are adjacent to already developed areas in the more westerly portion of the DEIS study area. These two alternatives would be more conducive to successful, ongoing regional conservation planning efforts because they provide for and prioritize maintenance of large contiguous native habitat areas to maintain ecosystem processes. The AIO would impact about 500 acres of habitats, primarily non-native grasslands, with some direct impacts on two federally- and State-listed species (Tables 4.11-5 and 4.12-3). The I-5 widening

alternative has the least impact to biological resources of all the alternatives; it would avoid nearly all direct impacts to State and federally listed plant and animal species. It would minimize impacts to sensitive habitats such as coastal sage scrub, native grasslands, woodlands, and wetlands, particularly when compared to the toll road alternatives (Tables 4.11-5 and 4.12-3). If the I-5 widening proposal were adopted as the preferred/selected alternative, it would avoid or greatly minimize impacts to sensitive biological resources in the Orange County area, including but not limited to State- and federally-listed species (see Specific Comments below). It would also have the least amount of impacts to wetlands and waters (see Specific Comments below).

F6-2

Specific Comments

Section 4.10, pages 4.10-1 to 4.1-52: Information on impacts to acres of habitat and habitat integrity units is provided in this section; however, the summary of impacts provides only a cursory discussion or analysis of the reasons for differences in impacts between alternatives (e.g., historical disturbance of alignments). Since the Central Corridor (CC) and Central Corridor-Avenida La Pata Variation (CC-ALPV) are shorter alignments, intuitively it would seem that these alternatives would have lower impacts to wetlands and waters. However, the CC alternative would have the greatest impacts, and the CC-ALPV would have impacts equivalent to or greater than the Far East Corridor-Modified (FEC-M), Far East Corridor-West (FEC-W) or Alignment 7 Corridor-Far East Crossover-Modified (A7C-FEC-M), which are much more extensive alternatives. The DEIS discussion indicates that the CC and CC-ALPV pass through more wetland areas and relatively fewer disturbed areas. It appears from figures of the grading footprints for each alternative, that the footprint is wider for the CC and CC-ALPV alternatives in the area of San Juan Creek, than for other alternatives at their respective crossings of this creek. This is one of the reasons that the CC and CC-ALPV may have greater impacts to wetlands and waters. The differing footprint widths may be a result of the balancing of cut and fill material associated with these shorter alignments. However, the text in this section does not provide reasons that the footprints differ (in width or other parameters), and thus the context for understanding differences in waters and wetland impacts between alternatives is unclear. We understand that the alternatives were examined and "adjusted" to minimize impacts to wetlands and waters (hence the FEC-W and FEC-M alternatives). It appears that the CC alignment has an extended grading overlap with the Chiquita Canyon drainage near the San Juan Creek confluence, but the text does not provide an explanation for this. The Department recommends that the final EIS contain more in-depth analysis and discussion of the effects of each alternative on wetlands and waters, including a discussion of these impacts in a regional context.

F6-3

Section 4.11, pages 4.11-1 to 4.11-134 and Section 4.12, pages 4.12-1 to 4.12-77: The discussion in the DEIS for sensitive, threatened and endangered species and their habitats in Sections 4.11 and 4.12 does not provide in-depth analysis of effects of project construction and operation. The DEIS notes the presence or number of individuals and/or populations (data points/occurrence information from surveys) and acres of habitats directly impacted by the construction disturbance limits, and provides for a comparison of these direct impacts among the alternatives in a table. The DEIS also provides a

F6-4

general overview of impacts associated with dust, noise, changes to hydrology, invasive species, and fragmentation. However, the DEIS does not provide analysis of these impacts in the context of the effects to the species' populations and habitats within the study area, the region, and the overall distribution of the species. To allow a better understanding of the impacts of different alternatives and because the information provided in the DEIS and its source (NES) document will be used to create a Biological Assessment for a potential section 7 consultation under the Endangered Species Act, the Service (via the Department) recommends that the final EIS include a more in-depth analysis of effects to all species and habitats.

F6-4

Page 4.11-10: As the DEIS correctly notes, few constraints currently exist on wildlife movement in the bulk of the study area. Movement impediments are mostly a result of ranching, plant nurseries, and the east-west running State Route 74-Ortega Highway, which parallels San Juan Creek. Wildlife movement is likely more constrained in the developed areas of Orange County in the study area (e.g., Coto de Caza, Talega, eastern portions of City of San Clemente) because of new or existing residential and commercial development and roadways serving those areas. However, the majority of the landscape where the toll road alternatives are proposed has few barriers to wildlife movement at present, thus, any new roadway would fragment the landscape and become a potential barrier to wildlife movement.

F6-5

Page 4.11-95, Figure 4.11-6a. Bridges and wildlife crossings are proposed in the DEIS in varying numbers and locations for the alignments. However, since the area is relatively free of impediments, it is unclear whether these proposed locations and numbers will replicate any of the qualities of the current unconstrained movement conditions. The Service has expressed concerns to the Department that center on retaining movement of wildlife to maintain genetic diversity and daily and/or seasonal movement patterns for all species, including herpetofauna, and especially for medium and large mammals, including the mountain lion (*Felis concolor*), mule deer (*Odocoileus hemionus*) and bobcat (*Lynx rufus*).

F6-6

Page 4.11-51: The DEIS proposes fencing in the locations of the crossings to funnel wildlife to the crossing, however, extensive stretches of roadway will not have such crossings or fencing. Wildlife will be more prone to vehicle strike in the areas lacking crossings. The DEIS indicates that the Foothill/Eastern Transportation Corridor Agencies (TCA) has monitored seven undercrossings along other toll roads in Orange County that are located in undeveloped areas and has documented wildlife use of these crossings, including large mammals. However, the DEIS lacks any information on observed rates of wildlife vehicle strikes associated with existing roads and crossings. The Service (via the Department) suggests that the final EIS provide such road kill information, even if preliminary. This would allow a better understanding of the potential wildlife mortality rates that could be expected or associated with the currently considered toll road alternatives. The Service continues to recommend consideration of wildlife overcrossings, as well as bridges and undercrossings. There does not seem to be any consideration given to use of overcrossings in the DEIS. The Service has indicated to the Department their desire to work collaboratively with the TCA and the Federal

F6-7

F6-8

Highway Administration (FHWA) to determine the number, location, and dimensions of wildlife crossings (including associated fencing) for any selected toll road alternative to provide continued wildlife movement and minimize wildlife vehicle strikes in the project area as indicated in Mitigation Measures WV 16 and TE 5.

F6-8

Page 4.12-16: Of particular concern are the impacts to federally-listed species, especially the federally endangered Pacific pocket mouse (*Perognathus longimembris pacificus*, "PPM"). This species already has a highly restricted distribution. The DEIS indicates that there are no direct impacts to PPM "occupied habitat" in the San Mateo North area based on an overlay of the grading footprint with the locations where PPM have been trapped. However, while it may be true that the grading footprint does not overlap with past trapping locations, any of the three alignments that propose to cross this area will remove suitable (i.e., likely to be occupied now or in the future) burrowing and foraging habitat. The extent of suitable PPM habitat area will be constrained through construction of retaining walls and the total habitat area available for the current population (as well as opportunities for expansion of this known population) will be reduced. The recovery plan indicates that loss or degradation of any of the known populations could irretrievably diminish chances of survival for this species (USFWS 1998). Please provide a discussion of the likely impacts to PPM from each of the alternatives in the final EIS. If possible, include project design elements or measures to avoid, minimize or mitigate for any potential impacts to PPM, particularly in the final EIS's preferred/selected alternative.

F6-9

Page 4.12-23: The DEIS acknowledges that there may be indirect impacts to PPM associated with lighting and edge effects (the PPM recovery plan indicates that these are factors that reduce potential recovery of the species). We recommend further discussion of lighting and edge effects to PPM be presented in the final EIS and that these impacts be avoided, minimized, or mitigated in the final design for the selected alternative.

F6-10

Page 4.12-39: While the recovery plan for the PPM acknowledges that impediments to movement exist between the San Mateo North and South populations (i.e., a two-lane road, agricultural fields, and San Mateo Wash), periodic movement between these two areas is anticipated to occur over the long-term, thereby maintaining gene flow between the populations. A SOCTIIP toll road alternative consisting of a multiple-lane divided highway would be a major impediment to PPM movement in this location. This area is recognized in the PPM recovery plan as an already compromised (but still necessary) connecting link between local populations. Further reducing the likelihood of PPM movement between the populations could put the long-term survival and recovery of the San Mateo North population of PPM in question. In mitigation measure TE 23, the DEIS indicates that an undercrossing will be designed to allow potential movement, however, no studies have been done to determine what size and configuration of crossing would be effective for this species. Please explain in the final EIS what measures will be taken to avoid, adequately minimize or mitigate possible loss of connectivity among neighboring populations of PPM to ensure continued survival and recovery of this species. Please provide measures within the Biological Resources Management Plan specifically to avoid and minimize losses in connectivity and indicate in the final EIS how the selected or

F6-11

preferred alternative is consistent with periodic movement of animals and gene flow between the populations, as anticipated in the recovery plan for this federally endangered species.

F6-11

Pages 4.12-15 and 4.12-21: The DEIS acknowledges direct impacts to the federally endangered arroyo toad (*Bufo microscaphus*, "toad") from bridge construction within drainages and from vehicle strikes during project operation. However, there is no mention of impacts to the toad from grading that will occur in other upland areas. As the species is known to disperse, forage, and estivate in upland areas (up to one kilometer from any drainage), it is likely that toads will be impacted in these upland areas from grading and the loss of suitable upland habitat, especially through the San Juan, Cristianitos, and San Mateo creeks from the FEC-M, FEC-W, and A7-FEC-M alternatives. The Department recommends that the final EIS be more specific regarding the potential magnitude of this type of impact to the toad, and provide measures within the Biological Resources Management Plan specifically to avoid and minimize upland impacts.

F6-12

Page 4.12-16: Substantial impacts to the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*, "gnatcatcher") would occur from all of the toll road alternatives in terms of gnatcatcher occurrences (occurrences may be individuals, pairs or family groups) and loss of coastal sage scrub habitat. Up to 16 gnatcatcher occurrences would be impacted for the A7C-FEC-M alternative and over 440 acres of sage scrub habitat that provide feeding, breeding and dispersal habitat for the gnatcatcher and other scrub species would be lost from the FEC-M alternative. All toll road alternatives would traverse areas of high concentrations of gnatcatchers in Chiquita Canyon, and several toll road alternatives would further impact gnatcatcher locations through the lower San Mateo Creek area. The Service has expressed concerns to the Department about the magnitude of these losses for the gnatcatcher and the fragmentation and loss of its habitat. The Service is also concerned about the FEC-M alignment and its potential to impede movement of gnatcatchers between populations in southern Orange County and Camp Pendleton. Pockets of sage scrub habitat provide a stepping stone connection through the Cristianitos Creek corridor that we believe is the major remaining connection for gnatcatchers between Orange and San Diego counties. Other more westerly connections through San Clemente and San Juan Capistrano are highly constrained by existing development. The FEC-M alignment would greatly impact maintenance of this corridor and reduce opportunities for improving the gnatcatcher connection through Cristianitos Creek.

F6-13

F6-14

Pages 4.11-47 and 4.12-39: The DEIS notes that mitigation for these coastal sage scrub losses will use credits from and restoration of habitat within the Upper Chiquita Canyon Conservation Area. We acknowledge that TCA has a good track-record for restored habitat meeting success criteria at their mitigation sites for other projects. However, the Service has expressed concerns to the Department about the phasing of the restoration within the Conservation Area discussed with the Service during a recent site visit. TCA proposes to restore native habitat in approximately 100 acre parcels per year over a 5 year period. This time frame would eliminate a very large area of non-native grasslands that, while not a native habitat type, does support sensitive species such as grasshopper

F6-15

sparrow (*Ammodramus savannarum*) that are being considered during the planning process for long-term habitat conservation in southern Orange County. The Service typically encourages project applicants to implement habitat restoration in advance of impacts to reduce the temporal loss of habitat, however, the magnitude of conversion of non-native grasslands concentrated in this area in the short time frame proposed for the Conservation Area may negatively affect sensitive species that use this habitat. The Service has also expressed concerns to the Department about the Conservation Area being the sole area used to offset project related impacts to upland habitats. The Service typically looks for conservation and restoration opportunities to offset project related impacts in proximity to the impact. The toll road alternatives will have impacts over an extended area, through southern Orange County and into northern San Diego County. While the Conservation Area is proximal to potential impacts in the Chiquita Canyon area, it is distant from impacts that would occur further south, particularly south of Ortega Highway and into Camp Pendleton. The Department encourages TCA to seek appropriate conservation and restoration opportunities along the length of the alignments to address Service concerns. The Service anticipates continuing to work with TCA on these issues and other mitigation strategies, including the meshing of the SOCTIIP project with regional conservation planning (see comments under Section 5, Cumulative Impacts, below).

F6-15

F6-16

Pages 4.12-35 and 4.12-75: The Service is concerned that the DEIS does not identify any specific avoidance and minimization measures for federally endangered tidewater goby (*Eucyclogobius newberryi*) and southern steelhead (*Oncorhynchus mykiss*) during construction beyond general Best Management Practices to address erosion and siltation. While mitigation measure TE 9 indicates that measures will be implemented to ensure that no barriers to fish movement result from the project, there is no mention of avoidance and minimization measures that may be necessary during construction for usual construction practices such as water diversion and dewatering. Please include specific measures to address this concern in the final EIS.

F6-17

Section 5, page 5-5 and section 5.3.9: The DEIS discusses concurrent planning processes that will address future residential and commercial development and open space reserves for southern Orange County, and acknowledges that there will be cumulative impacts to biological resources associated with these plans and SOCTIIP. For example, planning efforts have been underway for over a decade for the Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP) to address habitat conservation and development plans on Rancho Mission Viejo. Similarly, planning for a Special Area Management Plan/Master Streambed Alteration Agreement (SAMP/MSAA) has proceeded more recently in the southern Orange County area. Significant planning progress has been achieved within the past two years on both the NCCP/HCP and SAMP/MSAA, with several draft open space reserve and development alternatives being presented to the public. Rancho Mission Viejo's draft Environmental Impact Report for their proposed Ranch Plan is currently out for public review. The Service is very concerned that SOCTIIP alignments, in particular for the longer toll road alternatives, would severely reduce the function of the final design and configuration of open space reserves contained in these plans, and may compromise the future conservation of listed

F6-18

and sensitive species and their habitats in southern Orange County. A major roadway within an otherwise undeveloped area, would diminish the suitability of that open space for wildlife. Multiple roadways (toll road plus arterial roads) would have even greater fragmentation effects, would significantly impair open space values and wildlife habitat functions, and would create more complete or effective barriers to wildlife movement (and/or significantly increase mortality) over large areas or in critical population connectivity areas. To address these concerns, we recommend that the listed and sensitive species considered under the NCCP/HCP, SAMP/MSAA and Rancho Mission Viejo coordinated planning processes be considered and conserved to the greatest extent practicable for any SOCTIIP alternative. We recommend, at a minimum, that any toll road alternative selected be considered a main circulation element for development areas to avoid multiple roads (toll road plus arterial roads) crossing through open space reserves. Please ensure, in the final EIS, that SOCTIIP planning is coordinated with the southern Orange County concurrent planning processes, and that any selected SOCTIIP toll or non-toll road alternative is compatible with the open space reserve design ultimately selected under those processes.

F6-18

Literature Cited

U.S. Fish and Wildlife Service (USFWS). 1998. Pacific pocket mouse (*Perognathus longimembris pacificus*) Recovery Plan. Portland, OR. 112 pp.



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

S1

June 24, 2004

REC'D JUN 28 2004

DIVISION OF OIL,
GAS, & GEOTHERMAL
RESOURCES

316 CORPORATE AVE.
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ARNOLD
SCHWARZENEGGER
GOVERNOR

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, California 92618-3304

Subject: Notice of Availability of the Draft Environmental Impact
Statement/Subsequent Environmental Impact Report for the South
Orange County Transportation Infrastructure Improvement Project, SCH#
2001061046

Dear Ms. Cleary-Milan:

The Department of Conservation's (Department) Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California.

The proposed project is located in part within the administrative boundaries of the San Clemente oil field. There are numerous plugged and abandoned wells within the project boundaries. These wells are identified on Division map W-1-4 and records. The Division recommends that all wells within or in close proximity to project boundaries be accurately plotted on future project maps.

S1-1

Building over or in the proximity of plugged and abandoned wells should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current Division specifications. Also, the State Oil and Gas Supervisor is authorized to order the reabandonment of previously plugged and abandoned wells when construction over or in the proximity of wells could result in a hazard (Section 3208.1 of the Public Resources Code). If reabandonment is necessary, the cost of operations is the responsibility of the owner of the property upon which the structure will be located. Finally, if construction over an abandoned well is unavoidable an adequate gas venting system should be placed over the well.

S1-2

Furthermore, if any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discovery occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

S1-3

Ms. Macie Cleary-Milan, Deputy Director, Environmental Planning

June 24, 2004

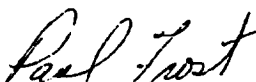
Page 2

To ensure proper review of building projects, the Division has published an informational packet entitled, "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for review. Developers should contact the Division's Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction.

S1-4

Thank you for the opportunity to comment on the Notice of Availability of the Draft Environmental Impact Statement/Subsequent Environmental Impact Report . If you have questions on our comments, or require technical assistance or information, please call me at the Cypress district office: 5816 Corporate Avenue, Suite 200, Cypress, CA 90630-4731; phone (714) 816-6847.

Sincerely,



Paul Frost
Associate Oil & Gas Engineer

State of California

The Resources Agency

MEMORANDUM

REC'D JUL 12 2004

To: Project Coordinator
Resources Agency

Date: July 2, 2004

Macie Cleary-Milan
Foothill/Eastern Transportation Corridor Agency
P.O. Box 53770
Irvine, CA 92619-3770

From: 
Dennis J. O'Bryant, Acting Assistant Director
Department of Conservation, Division of Land Resource Protection

Subject: South Orange County Transportation Infrastructure Improvement Project
(SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental
Impact Report (DEIS/SEIR) **SCH# 2001061046**

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above DEIS/SEIR discussing location, construction and operation of transportation improvements along several alignments in southern Orange County and northern San Diego County.

The DEIS/SEIR, ES.6.20 Summary of Impacts Related to Other Parameters, provides a discussion of impacts related to farmland. The DEIS/SEIR also provides several mitigation measures, but ultimately concludes that many of the alternatives will result in adverse impacts to farmland which cannot be fully mitigated. The Division recommends that the following information be considered for inclusion in the Final EIS/SEIR.

Agricultural Impacts and Williamson Act Issues

The Division's San Diego County Important Farmland Map indicates areas of Prime Farmland, Farmland of Statewide Importance and Unique Farmland along the proposed SOCTIIP alignments. Although exact acreages for conversion may be difficult to calculate at this time, including a graphic showing these farmland areas in relation to the different alignment would be valuable information for decisionmakers.

S2-1

As noted in the DEIS/SEIR, the alignments do traverse areas of agricultural preserves and lands under Williamson Act contract.

S2-2

Once again, the inclusion of a map showing areas of agricultural preserves, prime and non-prime lands under Williamson Act contract and also those undergoing contract nonrenewal would be valuable information for decisionmakers. S2-2

The DEIS/SEIR notes that unavoidable adverse project impacts also include conflicts with zoning for agricultural use or Williamson Act contracts. It should be noted that it is state policy to avoid locating federal, state, or local public improvements; improvements of public utilities; and related acquisition of land in agricultural preserves. It is also state policy that whenever it is necessary to locate such an improvement within an agricultural preserve, that the improvement be located upon land other than land under a contract (Government Code Section 51290). S2-3

An agricultural preserve is also a zone authorized by the Williamson Act, and established by local governments, to designate land qualified to be placed under the Act's 10-year contracts. Preserves are intended to create a setting for contract-protected lands conducive to continuing agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230). If zoning within the agricultural preserve would preclude agricultural use, consideration should be given to excluding these areas from the preserve. S2-4

If any alternatives of the project involve public acquisition of lands under Williamson Act contract, the Director of Conservation and the local governing body responsible for the administration of the preserve must be advised of the intention to consider location of a public improvement within a preserve. Government Code Sections 51290 to 51295 include further details on public acquisition of contracted lands. The notice for the Director of Conservation should be mailed to: S2-5

Darryl Young, Director
California Department of Conservation
c/o Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814

Mitigation Measures for Agricultural Land Impacts

The DEIS/SEIR proposes 1:1 mitigation for impacts on plants such as coast live oak and elderberry woodlands and specified plants within vernal pools. The Division recommends that similar mitigation also be considered for impacts related to loss of farmland. For example, purchase of agricultural conservation easements on land of at least equal quality and size could be used as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act. S2-6

Project Coordinator, Resources Agency
Macie Cleary-Milan
July 2, 2004
Page 3

Information about conservation easements, including some site selection criteria, is available on the Division's website, or by contacting the Division at the address and telephone number listed below. The Division's website address is: S2-6

<http://www.conservation.ca.gov/DLRP/>

Thank you for the opportunity to comment on the DEIS/SEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, telephone (916) 324-0850.

cc: Mission RCD
P.O. Box 1777
Fallbrook, CA 92088

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE AND TDD (415) 904-5200



July 30, 2004

Macie Cleary-Milan
 Deputy Director, Environmental and Planning
 Transportation Corridor Agencies
 125 Pacifica, Suite 100
 Irvine, CA 92618-3304

REC'D JUL 30 2004

Re: Coastal Commission Staff Comments on Draft EIR/EIS, South Orange County
 Transportation Infrastructure Improvement Project (SOCTIIP)

Dear Ms. Cleary-Milan:

Please accept the California Coastal Commission (CCC) staff's comments on the above-referenced Draft EIR/EIS. Due to budget constraints we have not had the opportunity to more than cursorily review this document, so these comments will necessarily be brief and incomplete.

I. Overall Concerns.

We are deeply concerned over the serious adverse environmental effects from any of the alternatives which would traverse the San Mateo Creek watershed (i.e., alternatives A7C-FEC-M, FEC-W, and FEC-M). We have not had time to review the traffic information thoroughly, but from our brief review it is unclear the degree to which mass transit options being considered for southern California (e.g., the California High Speed Rail Project) would reduce congestion on I-5 between Orange and San Diego Counties. Even assuming that one of the "build" alternatives is justified on a traffic congestion basis, we do not believe any of these three San Mateo Creek alignment alternatives could reasonably be determined the least environmentally damaging feasible alternative, given their significant and unmitigable adverse effects to one of the most, if not *the* most, undeveloped and pristine coastal watershed in southern California. Each of these alternatives would raise fundamental policy conflicts with the Coastal Act, in that the proposed highway could not be found to be an allowable use under Section 30240 of the Coastal Act, which limits uses within environmentally sensitive habitat areas to "... only uses dependent on environmentally sensitive habitat area resources," or with Section 30233 of the Coastal Act, which limits allowable uses for wetland fill to eight allowable uses (typically water-dependent and habitat restoration activities, and none of which apply to this project). In addition, these alternatives would seriously diminish the habitat values for a number of threatened and endangered species and wetlands in the San Mateo Creek watershed. They would thus be inconsistent with other sub-sections of these Coastal Act policies (including, but not limited to, the requirement of 30233 for adoption of the least environmentally damaging feasible project alternatives).

These alternatives would also be inconsistent with a number of other specific requirements of the Coastal Act, including the requirements of Section 30251 to minimize grading and natural landform alteration (these alternatives would entail 40-80 million cubic yards of grading,

S3-1

S3-2

S3-3

according to EIR/S Table 2.4-5, p. 2-95), and the requirements of Sections 30210-30212 and 30240(b) to protect public access and recreation (the proposal would seriously degrade the recreation values of the adjacent campground and nature trail in San Onofre State Park). We are also greatly concerned over potential water quality impacts (as addressed in Section 30231 of the Coastal Act).

S3-3

II. Specific Comments.

Page ES-27 should read "consistency certification," not "consistency determination" in the paragraph beginning "CCC."

S3-4

We take exception to the conclusion on page ES-49 that because there have been variations in past studies concerning noise impacts on birds, "substantive adverse impacts to local avifauna ... is not anticipated." This conclusion is unwarranted and defies common sense.

S3-5

Page ES-43 notes that the California Coastal Act contains more stringent regulations than the Army Corps. For clarification, including for consideration of mitigation measure WW-11 on page ES-45, and for any consistency certification and/or coastal development permit ultimately submitted, the TCA will need to perform wetland delineation(s) using Coastal Act definitions. To assist this effort, please review Attachment 1 to this letter, which clarifies the difference between "Army Corps" and "CCC" wetland definitions. Furthermore, what is omitted in the EIS discussion, is that one of the "more stringent" policies (as discussed in Section I above), is that under the Coastal Act's "allowable use" test, any alternative which involves fill of wetlands could not be found consistent with Section 30233 of the Coastal Act.

S3-6

Page ES-108-109, discussing Coastal Commission procedures and concerns, is incomplete. The alternatives cited as not triggering a CDP (because they are outside the coastal zone) should be followed by: "However, if any of those alternatives would affect coastal zone resources, a consistency certification would be required." The following list Coastal Commission concerns contained on these EIS pages is overly narrow, as it omits public access and recreation concerns (including effects on San Onofre State park campground, which is used for coastal recreation and was established as mitigation for a campground originally within the coastal zone but displaced by the San Onofre Nuclear Generating Station). The list should also include water quality, air quality, marine resources, recreational fishing, geologic hazards, minimizing energy consumption and vehicle miles traveled, and public works capacities and facilities.

S3-7

We strongly reject the conclusion stated on page ES-109 that because development in the coastal zone would need a coastal development permit, "Therefore, the SOCTIIP build Alternatives have no cumulative impacts on the coastal zone." All of the SOCTIIP "build" Alternatives, but most particularly the alternatives traversing the San Mateo Creek watershed (i.e., alternatives A7C-FEC-M, FEC-W, and FEC-M), would have significant adverse individual and cumulative impacts on a number of coastal zone resources. Furthermore, we do not understand how this EIS conclusion could be reconciled with the conclusion on page ES-54 that:

S3-8

Under NEPA, the unavoidable adverse impacts of the SOCTIIP build Alternatives related to wildlife and vegetation would be substantial and adverse even after mitigation ... For

the FEC-M, FEC-W, A7C-FEC-M, CC, CC-ALPV, and ALC-ALPV Alternatives, the effects of general habitat loss, wildlife loss (including sensitive species) and habitat fragmentation are anticipated to result in substantial impacts even after mitigation.

The accompanying mitigation measures on pp. ES-52-53 and ES-58-60 (for threatened and endangered species) may minimize wildlife impacts, but given the proposed significant adverse effects from direct habitat displacement, habitat fragmentation, 40+ (up to 80) million cubic yards of grading (Table 2.4-5, p. 2-95), noise, runoff and erosion, we do not believe these measures would adequately mitigate, or reduce to a level of non-significance, the significant adverse effects on the affected sensitive wildlife resources.

S3-8

Page 4.10-16 (mitigation measure WW-3). For alternatives FEC-M, FEC-W, A7C-FEC-M, and any other alternative for which a consistency certification will be submitted, please add the Coastal Commission to the list of agencies to receive any mitigation, management, monitoring measures, water quality plans, and other resource agency coordination measures.

S3-9

Page 4.10-7. The discussion about the Coastal Commission could be confusing, as it mentions the Coastal Zone Management Act but not the specific requirement for a consistency certification. This could be remedied by referencing any such discussion elsewhere in the document, or by adding a sentence to this effect in this paragraph. Also, for clarity, we recommend a more specific description of the coastal zone in San Clemente and northwestern Camp Pendleton, along the lines of: "the coastal zone in the project area generally ranges from about 1000 ft. in northern San Clemente to about 4000 ft. in the San Mateo Creek watershed."

S3-10

Page 4.10-7 (as well as the discussion on 4.10-15). The wetland discussion references Army Corps delineations, but not Coastal Act delineations, which differ (please see the third "specific comment" above (p. 2), and Attachment 1). Page 4.10-15 more specifically references the Coastal Act, but we want to be clear how the wetland criteria differ, which any wetland delineator will need to take into consideration.

S3-11

Page 4.11-42. The document states the mitigation ratios would be 1:1 or whatever regulatory standard is applicable. Please be advised that depending on the resource and the impact, as a general rule of thumb the Commission generally requires greater than a 1:1 ratio. For example, in our recent objection to the "Border Fence" project, the CCC determined the mitigation ratios proposed insufficient, requiring "...increas[ing]... the habitat mitigation ratios to 4:1 for coastal salt marsh (including disturbed coastal salt marsh), to 3:1 for disturbed maritime succulent scrub, to 3:1 for southern maritime chaparral, and to 3:1 for disturbed coastal sage scrub." (CC-063-03)

S3-12

Page 4.11-52. Please explain why Caltrans will be assuming mitigation responsibilities for mitigation after 3 years of corridor operation, and how funding for such mitigation will be guaranteed.

S3-13

III. Procedural Issues. As we informed TCA in our letter to Nancy Lucast dated September 25, 1996 (Attachment 2), a number of the alternative alignments being considered would trigger the need for a consistency certification to the Commission, as well as, depending on the alternative,

S3-14

possible coastal development permits from the City of San Clemente and/or the Coastal Commission (if any physical development is proposed seaward of the coastal zone boundary).

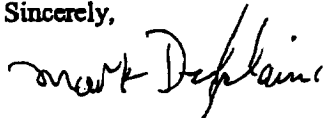
Alignments now entitled A7C-FEC-M, FEC-W, and FEC-M would require submittal of both a consistency certification (for the entire project) and a coastal development permit application (for the portion of the project seaward of the coastal zone boundary on Camp Pendleton) to the Commission, for the reasons explained in the attached letter.

S3-14

Any coastal development permitting requirement would arise under the California Coastal Act of 1976, as amended (PRC 20 Section 30000, et seq.). The federal consistency requirement arises under Section 307 of the Coastal Zone Management Act, 16 U.S.C. Section 1456 (with implementing regulations at 15 CFR Part 930).

Thank you for the opportunity to comment. If you have any questions or comments, please feel free to contact me at (415) 904-5289.

Sincerely,



MARK DELAPLAINE
Federal Consistency Supervisor

Attachments (2)

cc: San Diego Coast District Office
South Coast District Office

Attachment 1

Definition of Wetlands

Various state and federal agencies are charged with regulating the use of wetlands within the Coastal Zone, including the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Game (CDFG), and the California Coastal Commission. While each of these agencies regulates wetlands under a different statutory authority, they all define "wetland" based on three basic parameters: hydrology, soil type, and vegetation. Generally speaking, the Corps uses the narrowest definition, requiring evidence of each of the three wetland parameters. USFWS, CDFG, and the Commission generally accept evidence of positive field indicators of any one of the three parameters to demonstrate that an area is a wetland, i.e. areas wet long enough to bring about the formation of hydric soils or to support the growth of wetland plants. This difference is often expressed as a "three parameter" versus a "one parameter approach."

For additional background, the wetland definition used by the Corps is provided in the Corps 1987 Wetland Delineation Manual (Environmental Laboratory 1987) states in part:

Definition: The CORPS (Federal Register, Section 328.3(b), 1991) and the EPA (Federal Register, Section 230.4(t), 1991) jointly define wetlands as: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

The USFWS, CDFG, and Coastal Commission wetland definitions (the last of which is the applicable standard of review in this case) are all based on a classification scheme published in Cowardin et al. (1979). The Cowardin classification system provides:

Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes¹; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.

Consistent with Cowardin, the wetland definitions provided under the Coastal Act and the Commission's administrative regulations are based on periodic or permanent wetland hydrology. Coastal Act Section 30121 defines wetland as:

Wetland means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, or fens.

¹ Normally, a particular vegetation type (e.g., hydrophytic vegetation) is considered to predominate when it makes up more than 50% of the vegetation.

Commission Regulation Section 13577(b) elaborates:

... Wetlands are lands where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salt or other substance in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deepwater habitats. ...

Attachment 2

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200



September 25, 1996

Nancy Lucast
12760 High Bluff Dr., Suite 280
San Diego, CA 92130

RE: Foothill Transportation Corridor (FTC), Orange and San Diego County

Dear Ms. Lucast:

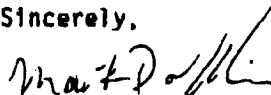
To respond to the first point in your letter to me of September 19, 1996, I have used your letter to trigger a renewed in-house discussion regarding the proper Commission procedures applicable to this project. It is the consensus within this agency that the portion of the project seaward of the coastal zone boundary (i.e., the San Mateo Creek crossing and connection with I-5 on Camp Pendleton) should be the subject of both a coastal development permit application and a consistency certification, while the remainder of the project (inland of the coastal zone boundary) should be subject to review only under Section 307(c)(3)(A) of the Coastal Zone Management Act, as a federally permitted project. Accordingly, attached is a coastal development permit application, as well as a map depicting the coastal zone boundary for the area where the proposed FTC would cross San Mateo Creek.

Similar to how we treated the San Joaquin Hills Transportation Corridor, we would agree to combine TCA's coastal development permit application and consistency certification for the FTC into one staff report and a single public hearing. We would also agree to commit to you at this time to both items being handled by one staff member, from our federal consistency staff in San Francisco.

To respond to the second point in your letter, I regret to say I have been unable to review the Draft EIR (and in fact have not yet seen a copy), due to our heavy workload, and do not wish to comment on your request regarding which particular stream crossings have the greatest potential for coastal zone effects, without having reviewed the document. Therefore, I do not wish at this time to commit to limiting our potential review to any particular stream crossings, but rather request that you determine which stream crossings have the potential for downstream effects, with accompanying supporting analysis to be contained in your consistency certification for the project, and we will respond to your analysis, either agreeing or disagreeing with your conclusions.

Thank you again for the mosaic aerial photo, especially such a prompt response to my request, as well as the time you and Steve Letterly took recently to meet with and brief me on the status of this project. Please feel free to contact me at (415) 904-5289 if you have any questions about this letter.

Sincerely,



MARK DELAPLAINE
Federal Consistency Supervisor

Attachments: (1) Coastal Development Permit Application
(2) Coastal Zone Boundary Map

cc: Long Beach and San Diego Area Offices

1967p

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



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August 4, 2004

Macie Cleary-Milan
Foothill/Eastern Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

BY FACSIMILE AND
OVERNIGHT MAIL

Maiser Khaled
California Division of the Federal Highway Administration
650 Capital Mall, Suite 4-100
Sacramento, CA 95814

REC'D AUG 05 2004

Susan A. De Saddi
U.S. Army Corps of Engineers
Los Angeles District Regulatory Branch
P.O. Box 532711
Los Angeles, CA 90053-2325

RE: Comments on Draft Environmental Impact Statement/Subsequent Environmental Impact Report and Draft Section 4(f) Evaluation for the South Orange County Transportation Infrastructure Improvement Project (DEIS).

Dear Ms. Cleary-Milan, Ms. De Saddi, and Mr. Khaled:

The Attorney General of the State of California submits the following comments regarding the Draft Environmental Impact Statement/Subsequent Environmental Impact Report and Draft Section 4(f) Evaluation for the South Orange County Transportation Infrastructure Improvement Project (DEIS). The Attorney General submits these comments pursuant to his independent power and duty to protect the natural resources of the State from pollution, impairment, or destruction, in furtherance of the public interest. (Cal. Const., art. V, § 13; Cal. Gov. Code, §§ 12511, 12600-12; *D'Amico v. Board of Medical Examiners* (1974) 11 Cal.3d 1, 14-15.) These comments are made on behalf of the Attorney General and not on behalf of any other California agency or office. The Attorney General's comments will focus on the environmental impacts of the project on San Onofre State Beach.

The Attorney General has a long history of participation in land use issues involving our State's last vestiges of open space and protection of California's endangered or threatened

S4-1

species. The natural resources contained within this area of south Orange County are an important component of the natural heritage of the people of this State. These comments by the Attorney General, advocating the consideration of alternatives other than a freeway through a much-beloved State Beach, are consistent with this office's on-going efforts relating to proposals regarding future land use in California's last remaining open spaces.

S4-1

First, the Attorney General cannot state strongly enough the inappropriateness of any alternatives that would allow a multi-lane freeway to be built down the length of the inland (Cristianitos Subunit) portion of San Onofre State Beach. Under three of the alternatives proposed for the Foothill South Toll Road Extension (Toll Road), hundreds of thousands of persons who visit the park each year would have their recreational experience greatly reduced by the presence of a busy freeway extending the length of this unit of the park. The noise and visual pollution created by a Toll Road in the center of the state park would destroy the natural setting and the quiet enjoyment that is presently available. In addition, campers will be exposed to the carcinogenic emissions of diesel particulate from the trucks using the Toll Road immediately adjacent to the campground. Although the DEIS indicates that this loss of property will be mitigated by providing suitable replacement property, San Onofre is unique and located in a county that has already seen the development of almost every acre of available coastal land. The likelihood of finding suitable replacement lands is quite unlikely. It is unacceptable to take away this small jewel of undeveloped land in an area undergoing massive development.

S4-2

The environmental document in question here is a joint draft EIS/SEIR that is intended to comply with the National Environmental Policy Act (NEPA), 42 U.S.C. section 4321, *et seq.*, and the California Environmental Quality Act (CEQA), Public Resources Code section 21000, *et seq.* It is the Attorney General's belief that the current draft of the DEIS does not comply with either law, as it fails to adequately discuss all impacts flowing from the project. In particular, it does not adequately discuss the impacts to the San Onofre State Beach campground area.

NEPA requires the preparation of an EIS whenever major federal actions significantly affect the quality of the human environment. (42 U.S.C. § 4332(2)(C).) The EIS must set forth sufficient information for the general public to make an informed evaluation and for the decision maker to consider fully the environmental factors involved and to make a reasoned decision after balancing the risks of harm to the environment against the benefits to be derived from the proposed action. (*Sierra Club v. United States Army Corps of Engineers* (2d Cir. 1983) 701 F.2d 1011, 1029.) The purpose of an EIR, *inter alia*, is to provide public agencies and the public in general with detailed information about the effect of the proposed project on the environment. (Pub. Resources Code § 21061; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 391.) An EIR should, when viewed as a whole, provide a reasonable, good faith analysis of known environmental impacts. (*Al Larson Boat*

S4-3

Shop, Inc. v. Board of Harbor Commissioners (1993) 18 Cal.App.4th 729, 749.) A SEIR is held to the same requirements as an EIR, except that it need only contain sufficient information to make the previous EIR adequate for the project as revised. (CEQA guidelines section 15163; see e.g. *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District* (1994) 24 Cal.App.4th 826, 835-836.) The DEIS, as proposed by the Transportation Corridor Agencies, does not provide sufficient information to alert the public to numerous adverse environmental effects of this Project and is not the full information document required by NEPA and CEQA.

S4-3

Currently, San Onofre State Beach has a campground with over 160 sites in the area to be affected by the Toll Road. At present, San Mateo campground is a low cost alternative for an overnight stay in the area for those wishing to visit Trestles Beach, a world famous surfing location. The destruction of this campground will deny the opportunity to fully utilize this renowned surfing beach to those unable to afford hotel accommodations. Yet, the campground is not discussed in the DEIS, except references to it in tables and to its general vicinity as being "open space." (DEIS at 4.25-53; 4.25-58; 4.18-168; 7-112.)

S4-4

Even if the freeway route does not literally occupy the space now held by the campground, the proximity, incessant noise, and air pollution from the freeway will make camping there untenable. The DEIS seriously underestimates the impacts from noise pollution to the enjoyment of San Onofre State Beach. The DEIS does have a brief reference to these impacts – one word statements that the noise impacts to the park will be "adverse". (DEIS at 4.25-62; 7-159.) Although the document talks about noise criteria generally, it has not taken into consideration the impacts of noise in areas set aside for quiet enjoyment, visual beauty, and contemplative uses, such as have been preserved in the upland portion of the state park. The DEIS states that there is no noise standard for recreational open space and trails if there is no "long term lingering use". (DEIS at 4.25-7.) In fact, Caltrans uses a lower standard for judging significant noise impacts when it is evaluating effects on outdoor uses, such as exists at San Onofre State Beach. The Noise Abatement Criteria used by Caltrans are suitable for "lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose." (DEIS at 4.6-24.) San Onofre State Beach clearly falls into that category, yet the DEIS does not use this criterion in evaluating noise impacts to the campground. Although the DEIS makes note of the lower standard, it does not apply it to the portion of the Toll Road traversing the State Beach. (DEIS at 4.6-24.)¹ This failure deprives the decision makers of

S4-5

¹The major mitigation offered in the DEIS for noise impacts, sound barriers such as berms or walls, merely adds to the visual blight created by the massive concrete structure of the multi-lane expressway. (DEIS at 4.6-21- 4.6-23; 8.6 - 8.7.)

essential knowledge. "[T]he ultimate decision of whether to approve a project, be that decision right or wrong, is a nullity if based upon an EIR that does not provide the decision-makers, and the public, with the information about the project that is required by CEQA." (*Santiago County Water Works v. County of Orange* (1991) 118 Cal.App.3d 818, 829.)

S4-5

The DEIS is also deficient in the vague way that it states that property will be acquired to mitigate for any permanent loss of recreational property. (DEIS 4.25-30.) Although the DEIS indicates that this loss of property will be mitigated by suitable replacement property, San Onofre is a unique natural asset and located in a county that has already seen the development of almost every acre of available coastal land. The likelihood of finding suitable replacement land is remote, at best. Agencies cannot rely on mitigation measures of unknown efficacy to conclude that impacts have been reduced to a level of insignificance. (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727-729.)²

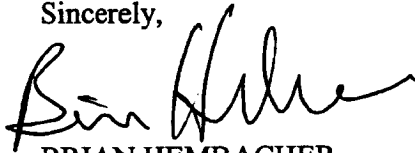
S4-6

The building of a multi-lane toll road through the heart of San Onofre State Beach is unacceptable. The noise from the Toll Road will make the inland subunit of San Onofre State Beach unusable for camping or other quiet recreational use. This small island of serenity in an area undergoing massive development must be protected. The campground as a low cost alternative during an overnight stay in the area must be preserved. If a freeway needs to be built in southern Orange County, alternatives outside of the park should be considered.

S4-7

If you or your staff have questions regarding these comments, please contact Deputy Attorneys General Brian Hembacher at 213-897-2638 or Laurie R. Pearlman at 213-897-2610.

Sincerely,



BRIAN HEMBACHER
Deputy Attorney General

For BILL LOCKYER
Attorney General

²Additionally, the California Public Park Preservation Act (Pub. Resources Code § 5400, *et seq.*) requires that park land acquired for "any nonpark purpose" must be replaced by park land of comparable characteristics and of substantially the same size. (Pub. Resources Code §§ 5401, 5404, 5405.)

Macie Cleary-Milan

August 4, 2004

Page 5

cc: Theodora Berger
Mary Hackenbracht
Matt Rodriguez
Ron Rempel
Richard Rayburn



August 2, 2004

Macie Cleary-Milan
125 Pacifica, Suite 100
Irvine, CA 92618-3304

REC'D AUG 05 2004

Dear Ms. Cleary-Milan:

Thank you for the opportunity to comment on the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR). We have reviewed the document and have found it to be insufficient for public disclosure and proper decision-making per compliance with the California Environmental Quality Act. It is inadequate in delineating the significance of the impacts, and does not propose satisfactory avoidance and mitigations measures that will reduce impact levels to less than significant. We strongly believe that the EIS/SEIR requires major revisions and subsequent recirculation for public review.

California State Parks is a state agency as defined by the California Environmental Quality Act (CEQA) PRC § 21082.1, a Responsible Agency (PRC § 21069) and a Trustee Agency as used for the resources affected by this project within units of the State Park System (CEQA Guidelines and as defined by CCR § 15386). Our mission is to provide for the health, inspiration, and education of the people of California by helping preserve the state's extraordinary biodiversity, protecting its most valued natural and cultural resources, and creating opportunities for high quality outdoor recreation. A team of reviewers including experienced professionals in the fields of anthropology, biology, public recreation and a variety of other relevant disciplines were assembled to review and provide comments on those project activities within our Department's area of expertise for potential environmental impacts of the project on resources and operation of the State Park System (CCR § 15096). We have focused the following comments on environmental information germane to our agency's statutory responsibility.

[Note: Build alternatives A7C-FEC-M, FEC-W AND FEC-M share a common alignment through San Onofre State Beach. In the interest of space, when this letter refers to the FEC alignments, we are referring to all three build alternatives. Specific pages referenced to the EIS/SEIR document may only address one of the three alternatives, but proposed revisions should occur for all three alternatives.]

San Onofre State Beach is a rare large southern California scenic coastal-canyon park with high environmental values, recreation use and potential for expanded recreational opportunities. The subject EIS/SEIR has been prepared to analyze proposed transportation improvements in southern Orange County and northern San Diego County. The document provides environmental analysis of a number of alternative improvements, of which the above three have a significant effect on the environmental conditions at San Onofre State Beach.

Alternatives

We understand that by agreement with the Department of the Navy (DON), the Transportation Corridor Agencies (TCA) did not include an environmentally preferred alternative in the draft document, but would select an environmentally preferred alternative as part of their preparation of the Final EIS/SEIR. Our department strongly believes that the environmental effects of build alternatives A7C-FEC-M, FEC-W, and FEC-M cannot be sufficiently mitigated and should not be considered as the preferred alternative. The alignment for each of these routes runs through one of the most intact watersheds in southern California, within which are numerous sensitive natural, recreational and archaeological resources. Many of these significant resources lie within the boundaries of land under the stewardship of our department: San Onofre State Beach (SOSB). These resources include federal and state listed species, significant coastal sage scrub, riparian and wetland habitats, a popular 161 unit campground, a 100 seat outdoor education center, nature trails, and a National Register Archeological District. Because each one of these features will suffer significant adverse impacts if alignment A7C-FEC-M, FEC- W or FEC-M is chosen, the California Department of Parks and Recreation opposes these alternatives.

Specifically, the campground and nature trails will become unusable for State Beach purposes with the FEC alignments. State Park staff has investigated the potential for re-creating these recreation opportunities elsewhere and our knowledge of the region leads us to conclude that losses to the existing unit cannot be adequately mitigated.

S5-1

The Department of Parks and Recreation does not oppose traffic relief, but we do believe that other, less environmentally damaging options should be considered over the loss of irreplaceable parklands: alternative alignments, alternate implementation measures improvements to existing highways, and the use of mass transit are all preferable. In fact, our department should have been involved in the discussions to determine which alignments should have been included in the EIS/SEIR. A 1991 Statement of Intent, signed by TCA, clearly includes the California Department of Parks and Recreation as part of a coordinated effort, yet the EIS/SEIR document describes "an interagency coordination and integration group" as including only "USFWS, USEPA, ACE and the DON". The TCA has ignored their previous commitment to include our department, resulting in the inclusion of alternative alignments that are simply not environmentally feasible.

S5-2

S5-3

The Authority of the California Department of Parks and Recreation

Page 4.2-23 seems to imply that our department's rights are minimized: "Because SOSB is a lease on MCB Camp Pendleton, the ultimate land use control for this area lies with the Department of the Navy (DON)". Again, page 4.18-44 states, "Parks lease from DON is subordinate to the DON reserved right to convey rights-of-way for roads through the leaseholder" upon consultation with State Parks. We would like to add that the lease assures mitigation for "property destroyed or property rendered unusable on account of Grantee's exercise of its right there under." However,

S5-4

most important is the fact that the circumstances of the lease between the DON and California State Parks are immaterial to the purposes of this EIS/SEIR. Through our long-term lease with the DON, our Department has management responsibility for the use of this land and any implication that we have a lesser role to play in future plans or the stewardship of its resources is inaccurate. Please remove all references that imply such.

S5-4

Page 4.2-23 claims consistency with the San Onofre State Beach General Plan because the General Plan mentions the potential of the toll road project without specifically opposing it. However, this claim is in error. The General Plan specifically states that the potential Foothill Transportation Corridor "would have a major impact on Subunit 1 of San Onofre State Beach". In addition, as noted in the EIS/SEIR, the General Plan does clearly oppose the kind of environmental effects created by the project (refer to pages 18 to 27 of the General Plan). It is incompatible for a multiple lane highway to run through pristine open space and adjacent to a campground that provides an outstanding outdoor wilderness experience in such close proximity to this urban area.

S5-5

Scope of "Significant Effect"

Pages 4.25-17 and 4.25-29 (and throughout the document) limit the project's impacts to only "temporary construction and the permanent taking of land" through acquisition. Many sections of the EIS/SEIR need to be revised to acknowledge that indirect impacts on adjacent uses can also have significant long-term impacts.

S5-6

Though most of the document focuses on only temporary construction and acquisition, a few brief statements hidden throughout the document do indeed acknowledge "substantial adverse effects" on adjacent lands: for example Table 4.25-12 (page 4.25-63) states (regarding indirect impacts on SOSB Cristianitos Subunit 1): "Visual: This alternative will result in changes to views from this resource. Those changes are considered substantially adverse because this Alternative will bring new elements into the viewshed that reduce the quality of existing views."

S5-7

The document is inconsistent. Table 4.25-11, titled Amenities Affected by the Temporary Occupancy and Permanent Acquisition of Property at Recreation Resources, states that only open space at San Mateo Campground is affected by the project while elsewhere in the document (page 4.18-40); it is acknowledged that the visual resources of the campground facility are subject to "significant adverse impact."

S5-8

Compliance with the Land and Water Conservation Fund Act, Section 6(f)

In making utility improvements to San Onofre State Beach, our Department utilized a grant made available through the federal Land and Water Conservation Fund Act (L&WCF). As agreed to in that grant a result, San Onofre SB is a protected property under that Act. This protection applies to both fee simple and leased lands.

S5-9

When lands are acquired or improved through the use of Land and Water Conservation Fund Act grants (16 U.S.C. §§ 460-4 through 460-11, September 3, 1964, as amended 1965, 1968, 1970, 1972-1974, 1976-1981, 1983, 1986, 1987, 1990, 1991, 1993-1996).), section 6(f) of the act prohibits the conversion to a nonrecreational purpose of property acquired or developed with these grants without the approval of the Department of the Interior (delegated to the National Park Service). Section 6(f) directs the DOI to ensure that replacement lands of equal (monetary) value, location, and usefulness are provided as conditions to such conversions. Consequently, where such conversions of Section 6(f) lands are proposed for transportation projects, replacement lands must be provided. Said replacement applies to both direct impacts occurring through the direct taking of land and indirect impacts where an entire recreational unit is made unusable because of its proximity to the nonrecreational development.

S5-9

If the decision is made to proceed with a project following adoption of a final EIS/SEIR with a preferred alternative which directly impacts 6(f) properties, it is the proponent's responsibility to so inform the Office of Grants and Local Services of the California Department of Parks and Recreation in writing of their decision and their proposed compliance actions with a showing that they meet the prerequisites of CFR § 59(b). This notification will require us to inform the Pacific West Regional Director of the National Park Service for their consideration of the conversion request.

The EIS/SEIR does not address how the proposed project will comply with Section 6(f) of the Land and Water Conservation Act. The document is required to do so by CFR § Part 59.3) and is, therefore, deficient as written. The conversion should be addressed as a part of the "project" under CEQA.

Compliance with the Public Park Preservation Act of 1971

The EIS/SEIR is also deficient as written by failing to address the proponent's need to comply with California Public Resources Code Section 5400:

"No city, city and county, county, public district, or agency of the State, including any division, department or agency of the State government, or public utility, shall acquire (by purchase, exchange, condemnation, or otherwise) any real property, which property is in use as a public park at the time of such acquisition, for the purpose of utilizing such property for any nonpark purpose, unless the acquiring entity pays or transfers to the legislative body of the entity operating the park sufficient compensation or land, or both, as required by the provisions of this chapter to enable the operating entity to replace the park land and the facilities thereon."

S5-10

The code goes on to clarify that "such substitute park land and facilities shall be of comparable characteristics and of substantially equal size located in an area which would allow for use of the substitute park land and facilities by generally the same persons who used the acquired park land and facilities."

S5-10

Section 4(f)

The following footnote on page H-12 of the "Section 4(f) Evaluation" Appendix H indicates that Section 4(f) no longer applies.

"Section 4(f) does not apply to parkland within Camp Pendleton that is leased by the State of California, pursuant to legislation enacted by Congress (Public Law 106-398 [H.R. 4205], Section 2881). A complete section 4(f) analysis has been prepared in accordance with the Federal Highway Administration (FHWA), NEPA regulations, 23 C.F.R. Section 771.135. This analysis addresses San Onofre State Beach even though that property is exempt from Section 4(f) by act of Congress as noted above."

S5-11

We believe that the purpose of existing law has been circumvented by this special legislation with the specific intent of allowing significant environmental effects to the natural, cultural and recreational resources of San Onofre State Beach. The special legislation was written and enacted after and because of the results of the initial section 4(f) analysis.

We acknowledge that the proponents have prepared a 4(f) analysis as Appendix H, but we recommend they demonstrate a commitment to the policy and spirit of the California Environmental Quality Act and an attitude of cooperation with other public agencies in developing a public project. Immediately following the selection of a preferred alternative, a complete 4(f) process should be followed that presents a detailed analysis as to why the selected alternative is the only prudent and feasible alternative. This document should be available for full public review, and approved by FHWA.

Mitigation for the San Onofre Nuclear Generator

Construction of the San Mateo Campground was required by the California Coastal Commission as mitigation for construction at the San Onofre Nuclear Generator. The EIS/SEIR fails to address impacts of this regional loss of coastal recreation that was mandated by a state regulatory agency.

S5-12

Relocation and Mitigation

Page 4.25-29 states that, with regard to recreation resource impacts, the proponent "will comply with the Uniform Relocation Assistance Act as addressed in Section 4.4 (Affected Environment related to Socioeconomics and Environmental Justice)." Yet, there is no discussion

S5-13

of displaced recreation resources in 4.4. The loss of or significant impact to recreation should be considered a socioeconomic effect. In addition, the proponent must also comply with Section 6(f) of the Land and Water Conservation Act and Public Park Preservation Act of 1971. S5-13
S5-14

Relocation must address immediately adjacent recreation (not merely temporary construction and land acquisition) that is permanently affected (noise, air, visual, traffic) such that the public's use is forever compromised. S5-15

The section that lists socioeconomic effects should also analyze and propose mitigation for the secondary effect that the loss of recreation will have on the local economy. S5-16

Please confirm that mitigation measure R5 is a commitment to restore the trail that connects the campground to the beach. S5-17

Table 4.25-34 says that coordination with DPR is already incorporated in mitigation measure R-5. It is not. S5-18

Noise

"All receptors subject to the CNEL criteria (i.e. residences and parks) along the project alternatives are projected to experience a noise level increase of less than 3 dB CNEL or experience noise levels lower than the 65 CNEL criteria. All of the alternatives would have all impacts mitigated to a level of insignificance with the implementation of the sound walls required to meet the FHWA Criteria." (Page ES-2 Technical Study on Noise.)

The Technical Study that supports the EIS/SEIR claims that, relative to parks, there are "0 impacts with noise abatement" for any of the FEC alignments. Page E-4 establishes the following definition: "*Impacted* means exposed to noise levels approaching or exceeding the FHWA/Caltrans Noise Abatement Criteria (NAC) or experiencing a substantial noise increase per Caltrans Definition of 12 dBA Leq (H)." S5-19

However, the evaluation of potential noise impacts is seriously flawed on two counts: 1. the criterion selected to identify appropriate noise thresholds and 2. the method for establishing existing levels (and thereby, quantifies the noise increase).

Page 4.25-4 references the FHWA/Cal Trans noise abatement criteria as it applies to parks: noise levels are not a concern until they exceed 66 dBA. However, Table 4.6-2 denotes a Noise Abatement Criteria of 57 dBA for "Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose." The San Mateo Campground and all related trails fall within this category. The document analysis and mitigations

should be amended accordingly. For example, Table 4.25-9 should be updated to show the distance contour for 57 dBA. In addition, the mitigation discussions in sections 4.6 and 8.6 should assure that the proposed sound walls will bring noise levels to within the dBA criteria. S5-19

Further, the Caltrans criterion does not do justice to the outdoor amphitheater associated with the campground. According to National Academy of Sciences guidelines, the intruding noise from the toll way should be 5 dBA less than the existing sound levels in order to avoid speech interference. It is likely that the unmitigated toll way noise will exceed this guideline by over 20 dBA. S5-20

Finally, as an overnight accommodation, the campground should be protected as an activity category "E", warranting a noise abatement criterion of 52 dBA. (The 15 dBA difference between the criteria would equal the amount of noise reduction (from outside to inside) that would be afforded by a frame house with windows open. S5-21

According to the EIS/SEIR Noise Technical Report, existing sound levels (Leq) in the campground are 47 dBA. However, it is inappropriate to rely exclusively on the Leq method because it gives disproportionate weight to high sound levels, thereby discounting long periods of relative quiet. Since the existing environment around the campground is characterized by such long intervals of relative quiet, use of Leq tends to overstate existing sound levels. Therefore, the FEC alignments cause a substantial increase from existing condition and would then cause the campground and related features to be considered "impacted." S5-22

Second, it is inappropriate to rely exclusively on Leq because of the importance of sleep interference in this campground setting. A Sound Exposure Level (SEL) would be preferable (when traffic is not continuous) to gauge sleep interference, because it would be capable of indicating what percentage of visitors would be awakened, and how often they would be awakened. There is no doubt that the toll way would lead to much sleep interference. S5-23

Table 4.25-12 only addresses temporary noise impacts during construction and fails to address the permanent effects of the toll way traffic. S5-24

Page 4.6-22 provides a mitigation commitment of sound walls that must reduce noise by at least 5dB. Instead, a clear commitment must be made to assure that long-term noise levels are reduced to within FHWA/ Caltrans criteria (in this case, 57dBA), not merely reduced by 5dB. We doubt that this criteria can be met by the installation of sound walls, given the proximity between the passive recreational use and the proposed toll road alignments. If meeting this criteria cannot be assured, then the noise impacts to recreational use of San Onofre should be considered unmitigatable. S5-25

Visual

This is a subject area of clear-cut, unmitigatable impacts to the entire Cristianitos Subunit of San Onofre State Beach, including trails, campground, outdoor education center, National Register Archaeological District and open space. In addition, there are visual impacts by the flyover to Trestles Unit #2, the San Mateo Creek Wetlands Natural Preserve and surfing areas. S5-26

The computer simulations contained in the document are excellent. However, there is only one photo that represents the San Mateo Campground. To gain a full assessment of the visual impacts, there should be at least three more photo surveys completed which would demonstrate the magnitude of the visual impact: one from the outdoor education area and two from the trail to the beach. S5-27

Table 4.18-11 sets the scoring criteria for evaluating both existing and post-project visual conditions. State Park staff independently used the scoring system and came to generally the same conclusion as the document: the project would cause significant visual impact to the campground. However, we would contend that it is difficult to justify any score higher than a "1" for post-project intactness. S5-28

Natural Resource Impacts

Wildlife and Wildlife Corridors

The EIS/SEIR claims no impact on Pacific Pocket Mouse and only minimal impact on wetlands. Other potential species to discuss include, fairy shrimp, tidewater goby, steelhead, arroyo toad, willow flycatcher, gnatcatcher, least Bell's vireo, peregrine falcon, swainson's hawk and thread-leafed brodiaea. The impact upon these species needs to be analyzed in order to have a legally adequate document. Our department is concerned about the environmental effects of the FEC alignments on land and resources under our stewardship. The EIS/SEIR document fails to adequately assess and propose mitigation for the following issues. S5-29

Direct adverse impacts of native habitats will occur by taking away nesting, foraging, and denning opportunities. Impacts to small mammals, reptiles, amphibians and other slow moving creatures should be included in the discussion as well as a long term view of the continued taking of animals due to road operation. S5-30

Significant habitat fragmentation will occur with a linear impermeable barrier through SOSB, such as will be created by the FEC routes. There are too few under crossings or bridges to afford passage especially through the many smaller, unmapped canyons and ephemeral drainages that contribute to wildlife connectivity. Planned bridges work for most species, but focus on larger mammals. These crossings have to be of a design, shape and size to be sufficiently attractive to S5-31

encourage wildlife use. Over-crossings, if dedicated to wildlife use, should be appropriately vegetated to afford cover and other species requirements. Under-crossing approaches should also be appropriately vegetated to afford cover. In addition, there is some thought that under-crossings benefit from divided roadways that provide air and light to circulate between opposing lanes. Functional corridors should be established to provide connectivity to protected lands or land zone for uses that provide wildlife permeability. For instance, if the upland side only connects to a drainage leading to a dense residential area or area zoned for residential development, its functionality is much reduced, whereas if it connects to parks or open-space it is enhanced. The EIS/SEIR should be rewritten to assess all wildlife corridors using the methodology and checklist developed to determine functionality as suggested by Beire and Loe, *Wildlife Society Bulletin* 20:434-440, 1992.

S5-31

The document fails to give details about this mitigation proposal. It should provide greater detail to assure functionality. (And, if over-crossings are considered, the resulting negative visual effects will need to be assessed.)

There should be more intense analysis of this barrier to passage. Wildlife is mobile. Yet, impacts are assessed primarily during the construction phase of the project. The document needs to assess and model long-term losses to wildlife due to habitat fragmentation, wildlife corridor impacts, vehicle strikes, night-lighting, sound walls, and noise.

S5-32

Threatened and endangered species in the San Onofre alignments include the significantly impacted thread-leafed brodiaea, arroyo toad, California gnatcatcher, tidewater goby, and steelhead trout. There needs to be greater discussion on the effects of road pollutants that will wash down the modified watershed and potentially harm the toad and goby in riparian and estuarine habitats. There should be a discussion of the potential conversion of existing SOSB grasslands into sage scrub habitat to accommodate displaced California gnatcatchers. It is difficult to assume this listed species could easily find the Chiquita Canyon Conservation Area as their new home. Brown-headed cowbird traps should be a permanent annual mitigation for displaced songbird species throughout any potential corridor.

S5-33

S5-34

Although no direct impacts occur, indirect impacts, both temporary and permanent, to Riverside fairy shrimp and the Pacific pocket mouse will occur including dust accumulation, increased mortality, physical and visual barriers to habitat or connectivity due to sound walls, noise, light, road mortality, habitat fragmentation and invasive species. In SOSB there is only one population of each of these two species. An enclosing silt fence for the fairy shrimp pool does not provide enough protection to ensure their long-term survival next to a bridge and habitat corridor structure, and it will exclude spadefoot toads from utilizing the pool. The incremental, cumulative and long term threats to these endangered species need to be discussed at length in the document to avoid harming these populations.

S5-35

Arroyo toad mitigation TE-15 should include rainy day exclusion from driving in the construction zone. S5-36

There are no mitigation measures for "other potential T&E species in the study area including the peregrine falcon and tidewater goby." These species need to be included in the proposed Biological Resource Management Plan including construction monitoring and long-term, post construction monitoring programs. It is the project proponent that has the responsibility to ensure there is not incremental take of species. S5-37

Arroyo toads utilize upland habitat during part of their lifecycle up to a kilometer away from lowland breeding areas. Although there are provisions to trap and remove toads from within the construction area, there appears a situation where upland toads will be cut off from their breeding grounds during the years of construction. A discussion of this problem and a proposed solution should be included in the document. S5-38

The southwestern pond turtle found in the San Mateo lagoon, a state and federal species of special concern, needs to receive further evaluation for impacts, including surveys for population numbers before and after construction, and long term monitoring. If impacts are identified, mitigations should be proposed. S5-39

Plants

Within the APE, there are six populations and 94 individual plants of the thread-leafed brodiaea impacted by the SOSB alignments. The proposed mitigation for the impacts to this species includes salvage of plant, soil, and seed for translocation, and germination and propagation in a nursery. However, the highest goal should be to provide maximum preservation of existing populations through alignment selection, design and through the construction process. This goal should be addressed in the analysis. The details of your mitigation approaches (such as success rate) should be reviewed and approved by the State Department of Fish and Game. S5-40

The Orange County Fire Authority Fuel Modification Plant List is used for planting selection on the constructed road slopes. This plant list was made with urban interface building protection in mind, and would lessen habitat values and make for a less than diverse native landscape. If fuel modification is necessary along the edges of the toll way, within its right-of-way, native grasses and lower shrubs can be used that are comparable to surrounding native habitats. Cultivars on the Fuel Modification list should not be used in any case, as they may become invasive on adjoining parklands. S5-41

Invasive exotic plant species will be introduced and spread due to construction and operation of the project. The EIS/SEIR needs to have a perpetual monitoring and control program written and enforced in the Biological Resources Management Plan. S5-42

Water Quality

The EIS/SEIR is inadequate in its treatment of water quality and must add extensive analysis of the full range of potential effects and appropriate mitigation measures. The following serious environmental effects related to the construction and operation of toll road are likely with any FEC alignments.

Millions of cubic yards of cut and fill will occur while building the proposed corridor through SOSB. This earth movement will disturb existing ephemeral and intermittent stream courses. The number of culverts, catch basins, energy dissipaters and flow structures needed is a large impact in itself with high potential for failure over time. We point out the example of the detention basins on the TCA San Joaquin Corridor that were installed per plans and failed from their inception.

S5-43

The acreage of bare slopes created by cut and fill operations will leave vulnerable areas. It will be several years before stabilization and plant cover provide effective protection. Page 4.9-7 is grossly erroneous when it states, "*Project cut and fill slopes will be revegetated after construction and will not provide additional sources of sediment.*" Even with SWMP and SWPPP in place, episodic high rainfall is likely to coincide with an exposed bare ground condition and cause catastrophic upset to slope surfaces and high amounts of erosion and sediments. There are many clear examples of SWPPP protection features such as fiber rolls, silt fencing, straw bales and gravel inlet filters, failing under moderate conditions. Resultant sediment flows will affect downstream sensitive species and habitat areas in the Trestles Wetland Natural Preserve.

S5-44

Pollution prevention during construction is a crucial operation during a critical period. In the short term, BMPs and the SWPPP will attempt to hold back mountains of bare soil. We have seen these BMPs fail in several cases. We suggest a full time water quality inspection team during the declared wet season to enforce and maintain components of the storm water plan. As they patrol and inspect, especially during rain episodes, they can make minor adjustments and repairs that can prevent large problems downstream.

S5-45

The FEC alignments will impact several hundred acres. During construction and plant establishment phases of this massive project, we feel episodic events could easily send tons of sediment downstream and cause significant impacts to sensitive species. The Trestles Wetland Natural Preserve could receive serious impacts as well as the tidewater goby, arroyo toad, southern steelhead trout, least Bell's vireo, southwestern willow flycatcher, and southwestern pond turtle found there. "The temporary residual increase sediment loads from construction areas" could be enough to drastically affect the breeding of wetland species. During the construction period, zero sediment should be delivered to the mouth of this watershed system. Adequately sized, well-maintained flood control basins need to be an effective part of all alignments. Relatively small increments of fine sediments could significantly impact the coarse and clean sand grains that are needed for breeding success of the goby and toad.

S5-46

Page 4.8-49 summarizes that project design features to control peak flow volume. In addition to extended detention basins, it states that, "*project design features such as riprap will be implemented as necessary to minimize adverse effects due to localized scour.*" The use of riprap in a natural environment causes serious impacts to natural systems. The EIS/SEIR should fully analyze the effects of this proposed design feature and provide mitigation alternatives for adoption if impacts cannot be avoided.

S5-47

Project design features include detention basins that could function as temporary habitat for related rare amphibian species attracted to the water and wet soils. Mitigations to avoid amphibians need to be included to the periodic sediment removal of these settlement/detention basins. Biological monitors need to inspect the area and the manipulation of these detention basin soils.

S5-48

Waterways

Impacts to surface waterways and the wetlands of the San Mateo Creek Wetlands Natural Preserve become a concern to this Department due to construction impacts and shadowing affects. The Natural Preserve classification [PRC § 5019.71] encompasses distinct areas of outstanding natural or scientific significance established within the boundaries of other State Park System units. Their purpose is to preserve such features as rare or endangered plant and animal species and their supporting ecosystems, representative examples of plant or animal communities existing in California prior to the impact of Euro-American modifications, geological features illustrative of geological processes, significant fossil occurrences or geological features of cultural or economic interest, or topographic features illustrative of representative or unique biogeographical patterns. Natural Preserves are managed to allow natural dynamics of ecological interaction to continue without interference, where possible. Habitat manipulation is permitted only in those areas found by scientific analysis to require manipulation to preserve the species or associations that constitute the basis for the establishment of the Natural Preserve. Motor vehicle use is prohibited in Natural Preserves.

S5-49

Outside Mitigations

The process of corridor selection is faulted by the fact of improper sequencing. This document should follow the modified Ranch Plan for Rancho Mission Viejo, which should follow the finalized Southern Subsection of the NCCP/HCP, which plans for natural resource sensitivities and their protection. Since the NCCP is not finalized, mitigation banking opportunities are not clearly defined.

S5-50

Chiquita Canyon Conservation Area was set up as a mitigation area for the TCA-N, and is the planned location for mitigating direct impacts to habitat and sensitive species taken by the southern corridor. This location is too far away to be a meaningful mitigation site for many involved species. The mitigation site should be as close as possible to the area impacted so that specific

S5-51

conditions of microclimate and microhabitat can be more closely matched and analyzed in this document.

S5-51

Air Quality

Table 4.25-12 only addresses temporary air quality impacts during construction. Effected air quality from use of the toll way must be analyzed as well.

S5-52

Trails

Page 4.5-4 acknowledges the trail between the campground and the beach but the proposals contained in pages 4.5-13 to 59 will either obliterate this important connection or create a long, very unpleasant trail experience under a concrete structure. The document needs to include an evaluation on the effects on this recreational use and provide mitigation alternatives for adoption if impacts cannot be avoided.

S5-53

Traffic

Page 4.25-9 sets the threshold for determining a delay is "substantial" at 60 minutes for a State Beach. This threshold should be lowered to match the 20-minute delay for neighborhood parks. There is fundamentally no difference between a State Beach and a neighborhood park in terms of access.

S5-54

We understand that one of the justifications for the Foothill Transportation Corridor is to relieve Interstate 5 congestion. However, we feel that the "fly-over" proposed at the junction between Interstate 5 and the FEC alignments will exacerbate, rather than relieve congestion. The southbound traffic compresses from 6 lanes to 4 lanes within the mere ½ mile between Christianitos and Basilone. This will have a significant negative effect on current and future SOSB patrons. The document is remiss in not highlighting, analyzing and determining the degree to which this effect is mitigatable.

S5-55

Archaeological Resources

The following remarks are specific to material in Volume 3 (April 2004), Section 4.16.

The discussion of archaeological sites currently on the National Register of Historic Places found on page 4.16-14 and on the Tables is misleading. The environmental impact report misrepresents the number of National Register properties within the Area of Potential Effects (APE) as one archaeological site. In fact, the San Mateo Archaeological National Register District, which has seven known archaeological sites, is located within the Area of Potential Effects (APE). That district measures ca. 480,000 square meters in size. The National Register District lies within San Onofre State Beach. Section 4.16 of the Draft Environmental Impact Report never mentions this.

S5-56

The absence of discussion of this National Register District is a critical oversight, which by itself requires recirculation of the documents. National Register District qualifies for the Register under both Criterion A and Criterion D. These facts are important to identify clearly in order to appropriately evaluate the impacts of the proposed project.

S5-57

The discussion of archaeological resources also fails to mention that the ethnographic Juaneño village of *Panhe* is located within the San Mateo Archaeological National Register District. The presence of *Panhe* lends extraordinary cultural significance to the San Mateo Archaeological District, and qualifies it to the National Register under criterion A. Present-day Juaneño people have strong feelings for *Panhe*, as being important to their cultural traditions and cultural heritage. The project proponents must seek out input from all Juaneño communities about this issue. The area encompassed by the San Mateo Archaeological National Register District and surroundings areas (e.g., nearby archaeological sites and the fenced compound used for ceremonies and reburials) likely qualify by Federal standards as a "Traditional Cultural Property." The EIS/SEIR fails to note that *Panhe* is listed on the Sacred Lands file at the Native American Heritage Commission. The subject EIS/SEIR should address the issue of Juaneño affiliations and ties to the project area, and should have solicited their opinions about protection and disposition for the lands in the APE, prior to recirculation.

S5-58

On page 4.16-23, the EIS/SEIR states that an "agreement document" is currently being prepared for the project. California State Parks staff requests that it be given an opportunity to comment upon the contents of the "Agreement Document," and potentially add items to it. This agreement document will outline procedures for how the Treatment Plan will be written, fieldwork and analysis methods, procedures for consultation with Native American communities and other stakeholder groups, means by which to resolve disputes over important issues, and other critical tasks.

S5-59

The archaeological fieldwork alluded to in the document appears to be inadequate to properly identify and evaluate archaeological sites, potential sacred sites, and locations important to Native American communities and other stakeholders. For example, all previously recorded archaeological sites located within the APE should have been reevaluated and discussed in this document. The present Draft EIR has poor descriptions of known archaeological sites. The survey coverage in the field is inadequate, as transect intervals were "10-15 m...apart" (too large for good coverage of the ground). During the archaeological survey, the field workers apparently merely confirmed that cultural materials were present at the site, but, performed no additional evaluations. More work at each site must be completed.

S5-60

A more complete consultation with Native American individuals may have yielded data on ethnographic locations. There is no evidence that the project proponents requested information on Sacred Sites within the APE from the California Native American Heritage Commission. That is standard procedure in order to obtain a complete inventory of cultural properties. The EIS/SEIR

S5-61

should also list the Native American tribal offices and individuals that were contacted during the Phase I Inventory. There is no evidence in the EIS/SEIR that important sources of ethno historic data (including, data on Indian village locations, locations of gathering areas, etc.) were identified and studied. A curious omission from the ethnography overview, for example, is a reference to the 2001 report by Dr. John Johnson on lineal descendents for Camp Pendleton. The EIS/SEIR gives no evidence that local archaeologists with knowledge of the project area were contacted for information, e.g., the Camp Pendleton Base Archaeologist, local consultants who have worked in the area, archaeologists from California State Parks, and others. The considerable archaeological work that has been performed on Camp Pendleton, including, areas within and next to the APE, is not referenced in the EIS/SEIR. Those data are critical for evaluating archaeological remains in the APE and understanding their cultural context.

S5-61

S5-62

The section on "Proposed Status of Mitigation Measures..." (Table 4.16-11) is prematurely constructed, as no such measures can be determined with the current state of knowledge of archaeological remains. A considerable amount of ethnographic consultation, historic research, and archaeological field studies, as well as, consultation with Native Americans, residents of the local communities, local historic preservation advocates, and other stakeholders, must be completed before the project proponents attempt to evaluate archaeological sites, historic properties, and the impacts of the proposed project. The EIS/SEIR must present a project alternative that completely avoids all the highly significant cultural properties within San Onofre State Beach.

S5-63

Finally, any archaeological consultant contracted by the project proponent must obtain an Archaeological Permit (DPR 412 A) from California State Parks prior to conducting any type of archaeological work within San Onofre State Beach. The permit application must be reviewed by State Parks Archaeologists in both the Southern Service Center and the Cultural Resources Division. California State Parks staff needs to review copies of archaeology and history technical reports prepared to date by contractors to the Transportation Corridor Agencies. Presently, State Parks offices do not have copies of these technical reports.

S5-64

Cumulative Impacts

Section 5 of the EIS/SEIR contains the Cumulative Impact analysis for this draft EIS/SEIR. CEQA Guideline § 15130(a)(1) describes a cumulative impact as consisting of an impact which is created as a result of the combination of the project evaluated in the EIS/SEIR together with other projects causing related impacts. In this the subject draft EIS/SEIR is inadequate in that it does not describe or analyze projects for impacts to San Onofre State Beach.

S5-65

To analyze a proposed project's contribution to cumulative impacts, a lead agency must identify reasonably foreseeable projects/actions in the vicinity of the proposed project, summarize their effects, identify the contribution of the proposed project to cumulative impacts in the project

region, and recommend feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects (CEQA Guidelines § 15130[b][3]).

In its listing of potentially contributing projects, the EIS/SEIR has failed to include the high-speed rail line currently being proposed by the High-Speed Rail Authority and the Federal Railroad Administration.

S5-65

Access to State Park System Lands

In preparation of this Draft EIS/SEIR it appears that certain investigations have been conducted within San Onofre State Beach. If further such work is required, it will be necessary to obtain written permission in advance.

A scientific collection permit is required for most scientific activities pertaining to natural and cultural resources that involve fieldwork, specimen collection, and/or have the potential to disturb resources or visitors. All requests for biological, geological, or soil investigation/collection permits must be submitted on a DPR 65 - "Application and Permit to Conduct Biological, Geological, or Soil Investigations/Collections Form" or for paleontological investigations, a DPR 412 P - "Application and Permit to Conduct Paleontological Investigations/Collections Form" to the Superintendent, Orange Coast District. A permit for investigating archeological resources must be obtained from the Supervisor, Cultural Heritage Section, Cultural Resources Division on a DPR 412 A - "Application and Permit to Conduct Archaeological Investigations/Collections Form." To obtain a right to enter permit for any other purpose including but not limited to survey work please contact the Superintendent, Orange Coast District.

S5-66

The permits described above may be issued for a maximum period of one year but renewals may be requested by submitting another application and following the same procedures. It is recommended that applications be submitted at least 60 days in advance of the first planned field activity.

The classification of State Beach and Natural Preserve are by design restrictive to uses that have potential to adversely impact the resources for which they were established. An applicant prior to requesting access for non-park related projects should make careful consideration of these limitations. You are encouraged to make contact and involve the Superintendent, Orange Coast District as early as possible prior to your need to access SOSB. Such open discussion will facilitate early resolution of potential issues.

Conclusion

In summary, the EIS/SEIR fails to acknowledge the full extent of recreational, natural and archaeological impacts to SOSB. As a result, the document also fails to adequately discuss appropriate levels of mitigation for those impacts. Should any of the FEC alignments be selected

S5-67

as the preferred alternative (against the strong recommendation of our department), the proponent will need to incorporate the mitigation measures discussed in *Mitigation Assessment of FTC – South Impacts on San Onofre State Beach, August 1997, California Department of Parks and Recreation*.

S5-67

As a Responsible Agency for this project, the California Department of Parks and Recreation will depend upon the Draft Program EIS/SEIR as a basis upon which we will review any application for use or entrance to lands of the State Park System. Without the issues addressed, this document will be inadequate for our use. As previously stated, and as evidenced by the numerous examples noted throughout this letter, we strongly believe that the EIS/SEIR requires major revisions and subsequent recirculation for public review.

S5-68

Again, thank you for the opportunity to provide comments on the Foothill Transportation Corridor EIS/SEIR. If you have any questions on this letter or any other matters please contact Rich Rozzelle at our Orange Coast District office at (949) 366-4895.

Sincerely,



Ruth Coleman
Director

cc: State Clearinghouse
Mike Tope
Ron Brean
Ted Jackson
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August 6, 2004

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 Environmental Planning
 Transportation Corridor Agencies
 125 Pacifica
 Irvine, CA 92618-3304

REC'D AUG 06 2004

**Comments on the Draft Environmental Impact Statement/Subsequent Environmental
 Impact Report for the South Orange County Transportation Infrastructure
 Improvement Project (SOCTIIP)
 State Clearinghouse Number 2001061046**

Dear Ms. Cleary-Milan:

The Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Statement/Subsequent Environmental Impact Report (DSEIR). The following comments have been prepared pursuant to the Department's authority as a Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386), and pursuant to our authority as a Responsible Agency under CEQA Section 15381 over those aspects of the proposed project that come under the purview of either the California Endangered Species Act (Fish and Game Code Section 2050 *et seq.*) or the Streambed Alteration Program (Fish and Game Code Section 1600 *et seq.*).

The South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) would consist of the construction and operation of transportation improvements in southern Orange County in order to improve projected levels of congestion and delay, as much as is feasible and cost effective. Eight alternatives have been developed to meet this goal and are presented in the DSEIR; a preferred alternative was not identified in the document. The alternatives include six corridor alternatives, plus I-5 widening (I-5) and Arterial Improvements Only (AIO) alternatives. The six corridor alternatives, listed roughly from west to east, are Central Corridor-Avenida La Pata Variation (CC-ALPV), Central Corridor-Complete (CC), Alignment 7 Corridor-Avenida La Pata Variation (A7C-ALPV), Alignment 7 Corridor-Far East Crossover-Modified (A7C-FEC-M), Far East Corridor-West (FEC-W), and Far East Corridor-Modified (FEC-M). Each alternative, except the I-5 and AIO, would be completed in two phases, an initial and an ultimate. The width for the initial phase, from outside shoulder to outside shoulder, would be 128 feet from Oso Parkway to Ortega Highway, and 89 feet wide south of Ortega Highway. This would accommodate two general purpose lanes in each direction, with room in the median to add an HOV lane north of Ortega Highway. Additional widening to the outside would be needed to add an HOV lane south of Ortega Highway. For the ultimate project, one additional general purpose lane would be added in each direction.

Most of the project alternatives traverse undeveloped areas, and would result in significant impacts to biological resources from both a local and regional perspective. The Department was not provided an opportunity to participate in either the selection of alternatives to be included in the DSEIR, or in the process of modifying alternatives to reduce impacts, and believes that additional modifications are necessary to avoid significant impacts. In addition, we believe that in many cases the document does not provide the level of analysis necessary for an informed comparison of the alternatives. The determination of significance has been treated as an all-or-nothing concept, with no distinction beyond that, when there are clearly differing levels of significant impacts among the alternatives. We are also concerned with the adequacy of the document because of the inequitable treatment of the alternatives, particularly in terms of avoidance, the lack of analysis that would evaluate impacts in an appropriate context, the failure to utilize available information to determine the functional adequacy of wildlife undercrossings, the failure to recognize the significance of both annual grassland and indirect impacts, and the lack of an appropriate level of mitigation for sensitive species/habitats.

S6-1
S6-2
S6-3

Alternatives

The DSEIR states that the overall goal of the proposed project is "...to improve projected levels of congestion and delay, as much as is feasible and cost effective." The document provides both a purpose and need statement for the determination of the NEPA alternatives and a list of objectives to determine the CEQA alternatives. The CEQA objectives are much more specific than the purpose and need, limiting the alternatives available to meet the project goals. Although the document indicates that the I-5 and AIO alternatives are not available for the Transportation Corridor Agencies (TCA) to implement, the fact that there are toll lanes on SR-91 suggests that these options may be feasible, even though they may not be preferred by TCA. The I-5 and AIO alternatives, which are located in areas that are already developed, along with Transportation Systems Management and transit, or any combination of these, would not have significant effects on biological resources, and should have been more seriously pursued.

S6-4

The process of determining the alternatives to be considered in the DSEIR included minimizing environmental impacts. Modifications were made to avoid sensitive coastal sage scrub, sensitive wetlands and encroachment into drainages, and effects on wildlife movement, among other key environmental issues. However, only two of the original alternatives were modified; the FEC was modified to become FEC-M and FEC-W, and A7C-FECV was modified to become A7C-FEC-M. Although the DSEIR implies that modifications to the other alternatives would not have substantially changed the impacts, there still appear to be opportunities to substantially reduce or avoid some of the impacts. For example, the CC alternative, as currently designed, includes substantial impacts to water courses and wetlands. A large part of this occurs on the north side of San Juan Creek where a large area of fill will be placed. The purpose of this fill is not identified, but regardless of its function, it should be relocated to completely avoid the creek. This area is not an appropriate disposal site to allow a balance of cut and fill for the project, or to provide a proper elevation to match other segments of the roadway. The Department believes the refinement process should have been applied equally to all alternatives and in the absence of this, an equitable comparison of the alternatives, adequate

S6-5

opportunity for public comment, and an informed decision on a project alternative, is not possible.

S6-5

NCCP/Fragmentation

In our July 10, 2001 letter responding to the NOP for this project, the Department expressed concern with the potential impacts of all of the corridor alternatives on the integrity of the habitats in the region. Each of these alternatives, even with provisions for wildlife corridors, will result in degradation of habitat values to a large area that currently supports open space consisting of a mosaic of habitat types. This combination of habitat types, along with their extent, provide functions and values that each would not provide separately, or in smaller patches. This is acknowledged in the NES, which states that the loss of habitat combined with fragmentation of open space lands would have far reaching effects into the ecology and sustainability of a broad suite of wildlife populations, and the long term effects of fragmentation and habitat displacement may profoundly alter predator-prey interactions and the food base for virtually all of the wildlife in the vicinity. The DSEIR further acknowledges that habitat fragmentation/wildlife corridor impacts will remain significant after mitigation. While this conclusion of significance is applied to all of the build alternatives, the data presented in Table 4.11-9 clearly indicate that they would not all result in the same level of impact. Habitat fragmentation is much greater for the eastern alternatives, particularly FEC-M, FEC-W and A7C-FEC-M. The table also quantifies an east fragment, but these values are irrelevant; the Orange/Riverside County line is an artificial boundary and connectivity to the east of any of the alternatives would actually not change as a result of the project.

S6-6

The DSEIR indicates that exact locations and design guidelines for wildlife movement will be deferred to later discussions and that a more specific analysis will be prepared based on the actual project footprint and engineering information. Although the need for site specific design adjustments are understandable, design guidelines should have been established and included in the DSEIR to allow for public review. The guidelines should be based on analysis of the effectiveness of existing wildlife undercrossings. The northern segment of SR-241 provides the opportunity to determine not only which undercrossing features have been successful, but also those features that may need improvement. The DSEIR only cites infrared camera data to demonstrate usage of the existing undercrossings and conclude that they are successful. But additional information is available on the locations where animals (recorded by species) continue to attempt to cross SR-241 and fail. An analysis of all available information, including the infrared camera data, roadkill data, guzzler locations, fence heights and types, and natural water sources, etc., could provide insight into deficiencies in undercrossing design that could be used to improve these features on the SOCTIIP project. This analysis should have been completed, and the guidelines established and presented in the DSEIR to allow public comment. An appropriate level of data should continue to be collected to allow for future modifications as needed, both on this project and elsewhere. Functional wildlife undercrossings are critical to maintaining connectivity of habitat areas and opportunities to evaluate and improve their performance should not be ignored.

S6-7

Annual and Ruderal Grasslands

The delineation of plant community types in the project study area includes annual and ruderal grasslands. Although both are dominated by non-native grasses and forbs, they still function as habitat for a number of animals that formerly inhabited native grasslands. With the almost total loss of native grasslands, these non-native habitats have become essential to species that are grassland dependent, or use them for foraging. Within the project study area, the following species utilize grasslands for all or a significant part of their habitat: grasshopper sparrow (an SSC¹ nominee - L. Comrack, pers. com.), which inhabits grasslands exclusively, raptors such as Swainson's hawk (ST)², ferruginous hawk (SSC), burrowing owl (SSC), long-eared owl (SSC), prairie falcon (SSC), northern harrier (SSC), white-tailed kite (FPS)³, and merlin (SSC), that depend on fairly large areas of grasslands and open scrub for foraging, and tri-colored blackbird (SSC) and horned lark (SSC), which utilize grasslands as either a primary or significant part of their habitat. All are sensitive species, as indicated in parenthesis, and all were observed in these habitats during project surveys. Loss of foraging habitat has resulted in the decline of many raptor species. Continued unmitigated loss of this habitat will result in further decline, or even the local loss of these species, and decreased bio-diversity in the region. For this reason, the Department is consistently recommending that any substantial impact to annual grassland be mitigated in an appropriate location, at a ratio of 0.5 acres of grassland preservation for each acre of loss. The large acreage of impact to annual grassland from any of the project alternatives (except I-5) represents a significant impact because of the overall decline of all grassland habitats in the region, and the effect of this loss on raptors and other grassland species.

S6-8

Sensitive Species

The Department believes that the impact analysis is insufficient for several sensitive species, including Pacific pocket mouse, arroyo toad and coastal cactus wren. Although none of these species are listed by the state as threatened or endangered, all are Species of Special Concern and two have been listed pursuant to the Federal Endangered Species Act.

A population of Pacific pocket mouse (PPM) is located adjacent to the southern end of the eastern alternatives (FEC-M, FEC-W and A7C-FEC-M) within San Onofre State Beach. The document concludes that no impacts to this species would occur because the project alternatives would avoid this population and "all areas where PPM has been historically noted." However, it also states that this large population was previously unknown. If the first survey date noted in the DSEIR is the same as the year it was first discovered, then the area in which it "was historically recorded" relies on less than 10 years of population data. Since populations of all species tend to fluctuate over time, the identified area may not include all habitat that would be utilized during a population expansion. Therefore, the Department disagrees with the conclusion that PPM impacts are avoided. Due to the extreme rarity of this species and the very limited habitat that remains, all areas contiguous with this population that have potential to support this species must be avoided. Any loss of suitable habitat would be significant. The mitigation of indirect impacts

S6-9

¹ SSC – Species of Special Concern

² ST – State listed as Threatened

³ FPS – Fully Protected Species

to a level that would not result in adverse effects on this species is also questionable. There is no indication that this conclusion is based on an analysis of the potential of these effects to be adverse to this particular species. This impact may remain significant.

S6-9

Arroyo toads are found in several locations in the project study area. The largest occurrence is at San Mateo Creek. Toad habitat includes both the creek and adjacent uplands. As shown on Fig. 4.11-3d, all of the eastern alternatives (FEC-M, FEC-W and A7C-FEC-M) parallel the creek and would bisect the habitat occupied by this population, isolating upland areas from the creek. Although the document indicates that project impacts to arroyo toad are significant, it is not clear how severing their habitat will effect this population. Mitigation measures for the loss of toad habitat should include preservation of occupied habitat in an appropriate location, along with provisions for management in perpetuity.

S6-10

Coastal cactus wrens are dependent on scrub habitat that includes patches of cactus. The DSEIR states that this species "...was recorded commonly throughout the survey area," and concludes that impacts would be similar to those for general wildlife species. Although 89 cactus wren territories were recorded in the study area, this alone cannot be used to suggest that they are common. Impacts to this species need to be analyzed in the proper context by considering other factors such as the scarcity of the species in the region, its specific habitat requirements and threats to its remaining habitat. Coastal cactus wren populations are in serious decline due to habitat loss; therefore, any impact to cactus habitat should be considered significant and appropriate mitigation provided. This should include both preservation of existing habitat and restoration at an appropriate site.

S6-11

The thresholds of significance in Section 7.12 (Summary of Significant Impacts, Mitigation and Level of Significance After Mitigation Related to Wildlife, Fisheries and Vegetation), should have included: Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or the United State Fish and Wildlife Service. Although this threshold is included in the section for threatened and endangered species, it should have also been applied to all sensitive species following an analysis that evaluates the impact in an appropriate context.

S6-12

Indirect Impacts

Roadway projects result not only in the direct loss of habitats within the project footprint, they also change the environmental setting when located in undeveloped areas. Adjacent habitats are subject to increases in noise, artificial night lighting, introduction of invasive species or altered conditions favorable for invasion by undesirable non-native species, increased incidence of fire, pesticide and herbicide overspray from roadside maintenance, vehicle exhaust including increased nitrogen deposition, dust, etc. The NES for the project states that "The magnitude of the indirect impacts in light of the quality of the resources and current continuity of the habitats that would be affected would represent a significant adverse impact to wildlife even after mitigation." Although noise has typically been the impact most often discussed, all of these

S6-13

effects have the potential to result in adverse changes in the adjacent ecosystems. Explicit proof of the negative effects on specific species in the project study area is not available, but there is evidence to suggest that adverse effects can be expected. Both Longcore and Rich⁴ and the National Cooperative Highway Research Program⁵ (NCHRP) summarize relevant studies. Longcore and Rich cite studies that show changes in plant growth, the behavior of both aquatic and terrestrial invertebrates, changes in foraging behavior in amphibians and fish, changes in avian species composition, and avoidance of the area by large predators due to artificial night lighting. They also reference studies showing that for many bird species there is a decrease in breeding density near roads, and that there are negative effects of chronic noise, even at low levels, on a number of different vertebrates. The NCHRP references articles that show establishment and migration of invasive species along roadways, decline in bird populations, changes in plant and animal communities, changes in air quality, species composition changes due to avoidance of roadways by species such as bobcat, and reduced bird nesting. Roadways also increase the incidence of fire in adjacent habitats. Although the DSEIR states that these impacts will be mitigated to below significance, only some of the impacts are addressed, and in most cases the proposed mitigation may not prevent adverse effects. For example, the mitigation measures proposed for lighting impacts may prevent the light from being directed into habitat areas, but it will not prevent increased illumination over the current condition in undeveloped areas. In some cases the light level that has resulted in behavior changes has only been at a level similar to the full moon, so even directed or shielded light would still have adverse effects. Another example would be the mitigation measure for increased incidence of fire. TCA cannot ensure that Caltrans will always have the funding necessary to provide the level of vegetation clearing needed to prevent the increased incidence of fire.

S6-13

S6-14

The studies referenced above show that a wide variety of species are adversely affected by the indirect effects adjacent to roadways, and although this does not prove that all species will react the same, there is enough evidence to conclude that adverse changes to a number of species can be expected; this will result in changes to the ecosystem. The EIR/EIS for a recent roadway project in San Diego County, acknowledged the significance of these indirect impacts and mitigated for it. The Department strongly disagrees with the conclusion in the SOCTIIP DSEIR that indirect impacts to sensitive habitats are mitigated to below significance. These effects, especially when combined, can reasonably be expected to diminish species density and diversity over time, are therefore significant for all habitats that support any sensitive species, and should be mitigated.

S6-15

Cumulative Impacts

The Cumulative Impacts Section of the DSEIR identifies several impacts to biological resources as adverse; however, the CEQA Evaluation Section fails to make a determination of significance for any of these. Following an adequate analysis of each impact, a determination of significance must be made, and appropriate mitigation provided.

S6-16

⁴ Longcore, Travis and Catherine Rich. 2001. A Review of the Ecological Effects of Road Reconfiguration and Expansion on Coastal Wetland Ecosystems. The Urban Wildlands Group, Inc.

⁵ National Cooperative Highway Research Program. 2002. Interaction Between Roadways and Wildlife Ecology; A Synthesis of Highway Practice. NCHRP Synthesis 305, Transportation Research Board, Washington, D.C.

Mitigation

For all habitat impacts which will be compensated with preservation, restoration or creation, the mitigation ratio provided in the DSEIR is 1:1, "or other ratio that compensates for functions and values." For virtually all sensitive natural communities and sensitive/listed species, much higher ratios are routinely used to mitigate for permanent impacts. Mitigation ratios greater than 1:1 are not solely a means of compensating for temporal loss of habitat values. They also take into consideration the sensitivity of the plant community in terms of regional habitat needs for both listed and sensitive species, and the severity of past loss. The evaluation of functions and values should be used to ensure that an appropriate location is selected for the mitigation, and that all habitat features are provided at the new site, not as a substitute for the typical ratios. The ratios, as currently proposed, will not adequately mitigate project impacts to sensitive habitats. The ratios that are typically used in the region should be applied to the mitigation for this project. Depending on habitat quality, the following ranges of ratios are generally used: coastal sage scrub 2 or 3:1, native grassland 3:1, oak woodlands 3:1, mulefat and other riparian scrubs 2 or 3:1, southern willow scrub 3 or 5:1.

S6-17

Although in some cases it may be desirable to mitigate for a number of impacts at a single larger site, in others it may be more appropriate from a regional perspective to mitigate adjacent to, or nearby, the location of the impact. This should be evaluated for each impact to determine which would more closely compensate for the lost habitat functions and values. If restoration will be a component of the mitigation, potential impacts to existing habitats at the restoration site will need to be evaluated. Conversion of one habitat to another, including habitats such as annual grasslands, may not be desirable; habitat needs in both the immediate vicinity and the region need to be considered before this determination can be made.

S6-18

The NES states that "Because it would not be possible to create rock outcrop and xeric cliff face habitat, impacts to this community resulting from implementation of the project alternatives would be considered significant, adverse, and unmitigable." Preservation of existing rock outcrop and xeric cliff face habitats is an acceptable form of mitigation. Preservation is being proposed for project impacts to other sensitive habitats and can also be implemented for this habitat type.

S6-19

All mitigation measures for species listed pursuant to the California Endangered Species Act will need to be coordinated with the Department to ensure that a consistency determination will be possible. All mitigation sites will need provisions for both preservation and management, in perpetuity. Additional comments on individual mitigation measures are attached.

S6-20

All of the corridor alternatives have serious impacts to regionally significant biological resources, with impacts generally increasing from west to east. However, even with modification, the three eastern alternatives have the greatest impacts not only to biological resources but also to the long-term viability of southern Orange County ecosystems. These alternatives also seriously diminish the opportunity to develop an NCCP for the area and should be eliminated from further consideration. Pursuant to the CEQA Guidelines at 15021(a)(2) "A public agency shall not approve a project as proposed if there are feasible alternatives or

S6-21

mitigation measures available that would substantially lessen any significant effects that the project would have on the environment.” Additional modifications to the western corridor alternatives are needed to avoid or reduce impacts to biological resources; and specific mitigation measures sufficient to reduce the significance of each remaining impact need to be identified, including provisions for protection and management in perpetuity. Inadequacies in the DSEIR, particularly as discussed above, need to be remedied in order to provide the opportunity for an informed decision on the project. The Department believes that revision and recirculation of the DSEIR is warranted.

S6-21

S6-22

The Department appreciates the opportunity to comment on this project. Questions regarding this letter and further coordination on these issues should be directed to Pam Beare at (858) 467-4229.

Sincerely,



Donald R. Chadwick
Habitat Conservation Supervisor

Attachment
cc: State Clearing House

PB:pb
SoctiipSEIRcom.doc

**Attachment to
Department of Fish and Game
August 6, 2004 Comments on the DSEIR for SOCTIIP**

Although there are a number of good mitigation measures provided in the DSEIR, most of them are too vague to determine if they will provide appropriate compensation for project impacts. All need to be specific, and measurable in some respect so implementation and/or success can be verified. It should also be specified whether or not the mitigation is being completed now for the ultimate corridor width. Comments on individual mitigation measures include the following, which are listed below using the letter and numerical designation in the document.

S6-23

4.11.4 Mitigation Measures Related to Wildlife, Fisheries and Vegetation

The first paragraph in this section indicates that once a preferred alternative is selected, the mitigation measures will "...be refined in the BMRP, subject to USFWS, USACOE, and CDFG review and approval and consistent with any resource agency approval documentation." It is not clear what "agency approval documentation" means, particularly in the context of this section, which addresses resources that are not specifically covered by any agency discretionary approval process. This needs to be clarified to indicate which agencies will, and will not, have review and approval authority.

S6-24

WV 3 again refers to "resource agency approval documents" This needs to be clarified because it implies that the resource agencies will be reviewing and approving the BMRP, but if this will occur only where legal requirements exist, it will not apply to many of the mitigation measures that will be covered in the BMRP. The goal of the BMRP should include not only a commitment to "...ensure the long-term perpetuation of the existing diversity of habitats in the project area..." but also a commitment to maintain species diversity, and in particular to ensure the perpetuation of all sensitive species.

S6-25

c. Although the drip line has been used as a means to avoid impacts to oak trees, their root systems may extend well beyond this. The drip line should be considered a minimum, with the actual area determined by the project biologist.

S6-26

e. Procedures for top soil preservation and erosion control would be applicable regardless of location and should be specified. Erosion control measures should not increase impacts to wildlife species. In particular, plastic type nettings that are used for fiber rolls etc. remain in place after the organic filler begins to degrade; a wide variety of species, including sensitive species, are known to become trapped in these products. Similar products are available with organic netting materials that should biodegrade at a similar rate as the filler and do not pose the same threat.

S6-27

g. This seems to refer to areas of temporary impacts that will be restored in-place. This should be clarified. In addition, while this provides the general measures to be included in a site preparation plan, performance standards are needed.

S6-28

h. The purpose of the "Specific construction monitoring programs..." should be stated.

S6-29

WV 5 references implementing resource agencies. It should be specified which agencies this refers to (see WV 3 and general comment preceding that).

S6-30

| | |
|--|-------|
| WV 11 An analysis of functions and values of the impact will need to be completed prior to a determination of an appropriate location for the mitigation of each resource. | S6-31 |
| A) A 1:1 ratio does not provide adequate mitigation for this habitat type. | S6-32 |
| B) The impact to existing habitat values in any areas proposed for restoration must be evaluated, in the appropriate context, to ensure that additional impacts to sensitive species do not occur. | S6-33 |
| C) A 1:1 ratio does not provide adequate mitigation for this habitat type. | S6-34 |
| WV 12 A 1:1 ratio does not provide adequate mitigation for this habitat type. | S6-35 |
| - "substantial maintenance" should be defined | S6-36 |
| - Natural recruitment is not demonstrated by setting of seed. This should be changed to seedling presence and survival. | S6-37 |
| - Since the performance criteria are based on an "appropriate" reference site, this should be better defined. | S6-38 |
| - Monitoring is needed for <u>at least</u> 5 years. Habitat restorations can appear quite successful after a series of years with favorable conditions, and still fail completely. Although intense monitoring may not be needed for all years, a general evaluation to determine if the success standards are still being met is needed for at least 5 years. | S6-39 |
| WV 13 A 1:1 ratio does not provide adequate mitigation for this habitat type. | S6-40 |
| - For both elderberry and oak woodland, see comments above regarding "substantial" maintenance and natural recruitment. | S6-41 |
| - Since the goal is to create elderberry woodland, a separate cover goal is needed for elderberry to ensure that this species is represented at an appropriate density for this habitat type. See comment above regarding the length of monitoring. | S6-42 |
| - The reasoning for the use of only a 5 percent cover goal for oak should be presented. This would seem to be more appropriate for oak savannah. It seems extremely low for oak woodland, given expected mortality. The actual planting density should be based on the density of a typical native oak woodland, adjusted for mortality over the time anticipated for the community to reach maturity (usually at 10:1). A minimum percent cover could then be estimated based both on an acceptable level of both mortality and growth. | S6-43 |
| C) The monitoring period for this habitat type should be 10 years. | S6-44 |
| WV 16 The type of permit application or process should be specified. The use of "minimum standards" for the height and width of wildlife bridges may not provide adequate mitigation for corridor and fragmentation impacts. Wildlife "bridges" need to be clarified. Are these roadway bridges that will be used for wildlife undercrossings, or are these bridges over the roadway that will be built and vegetated for use as a wildlife corridor? The statement that "This approach is appropriate..." and detail can be provided during further discussions, seems contrary to the purpose of CEQA; this provides neither disclosure nor the opportunity to provide meaningful comment. In regard to the statement that wildlife usage demonstrates success of undercrossing, see the previous comment in our letter under NCCP/Fragmentation. | S6-45 |

- a. The use of artificial lighting at wildlife crossings may limit their effectiveness and should not be used. | S6-46
- e. Methods other than riprap are available and should be used where riprap may interfere with the movement of wildlife. | S6-47
- WV 19** In order to evaluate effectiveness of wildlife bridges and culverts, it is necessary to look at a number of factors, not just documented usage of the undercrossing. See comment in letter under NCCP/Fragmentation. | S6-48
- WV 20** Grasslands should be added to the list of sensitive habitat types. | S6-49
- WV 23 C)** The statement “stabilized with a 50 percent survival rate” should be clarified. Does this mean that the loss of plants will not exceed 50 percent at the end of 5 years, or that no more than 50 percent are lost per year? | S6-50
- WV 23-26** A goal for the amount of seed, bulbs or caudexes that will be collected should be specified. | S6-51
- WV 30 & 31** It should be specified that exclusionary fencing will not isolate semi-aquatic species from the aquatic portions of their habitat. | S6-52
- WV 33** Salvage of cactus segments should be done prior to clearing and grubbing activities in cactus wren habitat. These segments are easy to collect and introduce into appropriate areas, and will help offset the loss of cactus habitat. | S6-53
- WV 38** A 1:1 ratio does not provide adequate mitigation for this habitat type. -See previous comments regarding “substantial” maintenance, natural recruitment and monitoring. | S6-54
- WV 39** A 1:1 ratio does not provide adequate mitigation for this habitat type. - See previous comments regarding “substantial” maintenance, natural recruitment and monitoring. | S6-55
- The performance criteria for woodland and forest communities should include a separate cover goal for trees to ensure that appropriate structure is also created. | S6-56
- See previous comments regarding oak restoration.
- WV 40** To ensure mitigation for open water, “or” should be deleted from “and/or” in the first sentence of this measure. | S6-57

4.12.4 Mitigation Measures Related to Threatened and Endangered Species

- All mitigation measures for state listed species will need to be finalized in coordination with the Department. | S6-58
- TE 3** refers to “resource agency approval documents” It should be specified which agencies will, and will not, be involved in this process. | S6-59

| | |
|--|-------|
| TE 6 The amount of salvage should be specified. | S6-60 |
| TE 7 Thread-leaved brodiaea is also state listed. All mitigation measures for this plant will need to be coordinated with the Department to ensure that a consistency determination will be possible. Preservation will need to be added as a component of the mitigation for this species. | S6-61 |
| TE 21 The survey protocol for least Bell's vireo is 8 visits, a week apart, during the hours of 0600-1000. | S6-62 |
| TE 22 These measures do not appear to be adequate to prevent take of least Bell's vireo, and will need to be revised in consultation with the Department. | S6-63 |
| TE 25 This measure should specify what it is mitigation for. The use of a 1:1 mitigation ratio for sensitive habitats is not adequate. | S6-64 |
| TE 26 A 1:1 ratio does not provide adequate mitigation for this habitat type. | S6-65 |
| - "substantial maintenance" should be defined | |
| - Natural recruitment is not demonstrated by setting of seed. This should be changed to seedling presence and survival. | S6-66 |
| - Since the performance criteria are based on an "appropriate" reference site, this should be better defined. | S6-67 |
| - Monitoring is needed for <u>at least</u> 5 years. Habitat restorations can appear quite successful after a series of years with favorable conditions, and still fail completely. Although intense monitoring may not be needed for all years, a general evaluation to determine if the success standards are still being met is needed for at least 5 years. | S6-68 |
| TE 27 See previous comments for WV 38. | S6-69 |
| TE 28 See previous comments for WV 39. | S6-70 |
| TE 29 See previous comments for WV 40. | S6-71 |



Arnold
Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Jan Boel
Acting Director

August 9, 2004

REC'D AUG 11 2004

Macie Cleary-Milan
Foothill-Eastern Transportation Corridor Agencies
P.O. Box 53770
Irvine, CA 92619-3770

Subject: South Orange County Transportation Infrastructure Improvement Project
SCH#: 2001061046

Dear Macie Cleary-Milan:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 6, 2004, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2001061046
Project Title South Orange County Transportation Infrastructure Improvement Project
Lead Agency Foothill-Eastern Transportation Corridor Agencies

Type SIR Supplemental EIR
Description Locate, construct, and operate transportation improvements in southern Orange County and northern San Diego County. The alternatives include corridor alternatives to extend existing State Route 241 from Oso Parkway (KP 23.15 (MP 14.38) to Interstate 5 in south Orange County and northern San Diego County, and Alternative to improve existing and master planned arterial highways and to widen I-5 from the County boundary KP 34.27 (MP 21.30) to the interchange with I-405 (KP 116.29 (MP 72.28)).

Lead Agency Contact

Name Macie Cleary-Milan
Agency Foothill-Eastern Transportation Corridor Agencies
Phone 949-754-3400 **Fax**
email
Address P.O. Box 53770
City Irvine **State** CA **Zip** 92619-3770

Project Location

County Orange
City
Region
Cross Streets
Parcel No.

| Township | Range | Section | Base |
|-----------------|--------------|----------------|-------------|
|-----------------|--------------|----------------|-------------|

Proximity to:

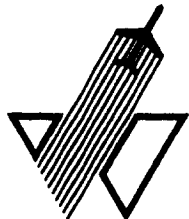
Highways 5, 74
Airports
Railways Burlington Northern Santa Fe
Waterways
Schools Various
Land Use Various

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 12; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 8; Regional Water Quality Control Board, Region 9; Native American Heritage Commission

Date Received 05/06/2004 **Start of Review** 05/06/2004 **End of Review** 08/06/2004

Note: Blanks in data fields result from insufficient information provided by lead agency.



JOHN WAYNE
AIRPORT

Orange County, California

Alan L. Murphy
Airport Director

June 10, 2004

R E C E I V E D **D**
JUN 16 2004

TRANSPORTATION
CORRIDOR AGENCIES
OFFICE OF THE CEO
W. D. KREUTZEN

W.D. Kreutzen
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618

Subject: Foothill-South Draft EIS/SEIR

Dear Mr. Kreutzen:

Thank you for the opportunity to review the brochure on the Draft EIS for Foothill South. While we agree that the study is an important one, at this time, John Wayne Airport does not have a comment to make.

I would also like to let you know that John Wayne Airport is not in need of any further information regarding this study. I hope that this will help you in coordinating any future mailings.

If you have any questions, please call me at (949) 252-5270.

Sincerely,

L. G. Serafini
Deputy Airport Director, Facilities

R1-1

3160 Airway Avenue

Costa Mesa, CA

92626-4608

949.252.5171

949.252.5178 fax

www.ocair.com





SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

JUN 02 2004

June 30, 2004

Ms. Macie Cleary-Milan
 Deputy Director, Environmental Planning
 Transportation Corridor Agencies
 125 Pacifica, Suite 100
 Irvine, CA 92618-3304

Member Agencies:
 Los Angeles County
 Metropolitan Transportation
 Authority.
 Orange County
 Transportation Authority.
 Riverside County
 Transportation Commission.
 San Bernardino
 Associated Governments.
 Ventura County
 Transportation Commission.
Ex Officio Members:
 Southern California
 Association of Governments.
 San Diego Association
 of Governments.
 State of California.

Subject: Draft Environmental Impact Statement / Subsequent Environmental Impact Report (DEIS/SEIR) – South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) or “Foothill South”

Dear Ms. Cleary-Milan:

Our agency received notification that the DEIS/SEIR was made available on-line for this project. Thank you for providing this information and for the opportunity to comment on this draft document. As background information, SCRRA is a five-county Joint Powers Authority (JPA) that operates the regional commuter rail system known as Metrolink on member agency-owned and on private freight railroad rights of way. Additionally, SCRRA provides a range of rail engineering, construction, operations and maintenance services to its five JPA member agencies. The JPA consists of the Orange County Transportation Authority (OCTA), Los Angeles County Metropolitan Transportation Authority (MTA), San Bernardino Associated Governments (SANBAG), Riverside County Transportation Commission (RCTC) and Ventura County Transportation Commission (VCTC).

OCTA owns the rail right of way that is used for Metrolink operations along I-5 and the coast in Orange County. This right of way is referred to as the Orange Subdivision. Based on the general graphics available for review as part of the DEIR/SEIR, it seems the only alternative being considered for implementation that could directly impact SCRRA would be the alternative to widen I-5 from I-405 south to the county line in south San Clemente. There are several places where the Orange Subdivision crosses I-5 or runs adjacent to I-5. The other alternatives being considered should not directly impact SCRRA, since these alternatives include extending the toll road (SR 241) to I-5 or constructing arterial roadway improvements on Antonio Parkway/Avenida La Pata from Oso Parkway to Avenida Pico.

The following are specific recommendations being conveyed by SCRRA after reviewing the DEIS/SEIR:

1. Please include the Orange Subdivision rail right of way along I-5 and the coast on future maps, labeling it the “OCTA/SCRRA rail right of way”.

R2-1

2. Designs for improvements crossing or adjacent to the Orange Subdivision will need to be reviewed and approved by OCTA, SCRRA and the California Public Utilities Commission (CPUC).

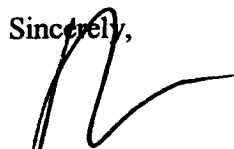
R2-2

3. Future plans for increased rail capacity and operating speed on the Orange Subdivision should not be restricted by the widening of I-5 or related projects. One example is that designs for I-5 overpasses of the Orange Subdivision should accommodate planned additional tracks.

R2-3

Once again, thank you for requesting SCRRA's input on this DEIS/SEIR. If you have any questions regarding these comments please contact Deadra Knox, Strategic Development Planner, at (213) 452-0359 or by e-mail at knoxd@scrra.net.

Sincerely,

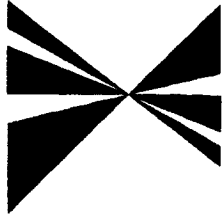


David Solow
Chief Executive Officer

cc: Shohreh Dupuis (OCTA)
Christopher Wright (OCTA)
Varoujan Jinbachian (CPUC)
John Shurson (BNSF)
SCRRA Central Files

REC'D JUL 02 2004

SOUTHERN CALIFORNIA


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Orange County: Chris Norby, Orange County • Ronald Bates, Los Alamitos • Lou Bone, Tustin • Art Brown, Buena Park • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Cathryn DeYoung, Laguna Niguel • Richard Dixon, Lake Forest • Alta Duke, La Palma • Bev Perry, Brea • Tod Ridgeway, Newport Beach

Riverside County: Marion Ashley, Riverside County • Thomas Buckley, Lake Elsinore • Bonnie Flickinger, Moreno Valley • Ron Loweridge, Riverside • Greg Pettis, Cathedral City • Ron Roberts, Temecula

San Bernardino County: Paul Biane, San Bernardino County • Bill Alexander, Rancho Cucamonga • Edward Burghon, Town of Apple Valley • Lawrence Dale, Barstow • Lee Ann Garcia, Grand Terrace • Susan Longville, San Bernardino • Gary Ovitt, Ontario • Deborah Robertson, Rialto

Ventura County: Judy Mikels, Ventura County • Glen Bererra, Simi Valley • Cari Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Charles Smith, Orange County

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Bill Davis, Simi Valley

August 5, 2004

Ms. Macie Cleary-Milan
Deputy Director
Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

RE: Comments on the Draft Environmental Impact Statement / Environmental Impact Report for the South Orange County Transportation Infrastructure Improvement Project – SCAG No. I 20040280

Dear Ms. Cleary-Milan:

Thank you for submitting the **Draft Environmental Impact Statement / Environmental Impact Report for the South Orange County Transportation Infrastructure Improvement Project** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

It is recognized that the proposed Project considers transportation improvements in southern Orange County and northern San Diego County, consisting of toll road corridor extensions, an arterial roadway improvement and widening of the Interstate 5 Freeway.

SCAG staff has evaluated the **Draft Environmental Impact Statement / Environmental Impact Report for the South Orange County Transportation Infrastructure Improvement Project** and find that the proposed Project is consistent with the 2004 Regional Transportation Plan.

Based on the information provided in the Draft EIS/EIR, we have no further comments. A description of the proposed Project was published in the May 1-15, 2004 Intergovernmental Review Clearinghouse Report for public review and comment. If you have any questions, please contact me at (213) 236-1867. Thank you.

Sincerely,

Jeffrey M. Smith
JEFFREY M. SMITH, AICP
Senior Regional Planner
Intergovernmental Review

R3-1



COUNTY OF ORANGE

RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT

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NCL 04-027

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Macie Cleary-Millan
Deputy Director – Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

SUBJECT: DEIS/SEIR for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP)

Dear Ms. Cleary-Millan:

The above referenced item is a Draft Environmental Impact Statement/Subsequent Environmental Impact Report (DEIS/SEIR) for the Transportation Corridor Agencies. The proposed transportation improvements are toll road corridor extensions, and arterial roadway improvement and widening of the Interstate 5. These improvements will be in southern Orange County and northern San Diego County.

The County of Orange has reviewed the DEIS/SEIR and offers the following comments:

FLOOD

1. The proposed SOCTIIP involves road network improvements in the southeast part of Orange County and northernmost part of San Diego County. The study area covered by proposed eight build alternatives extend throughout six regional watersheds including Aliso Creek, San Juan Creek, Prima Deshecha Canada, and Segunda Deshecha Canada in Orange County; and San Mateo Creek, and San Onofre Creek in San Diego County. As mentioned in the DEIS/SEIR, the Federal Highway Administration (FHWA) has not identified a preferred alternative under NEPA and the Transportation Corridor Agency (TCA) has not identified the locally preferred alternative.

2. The methodology utilized in the hydrology study for preliminary level analysis of peak flow rates and runoff volumes for evaluating impacts of the SOCTIIP is not consistent with the Orange County Hydrology Manual (OCHM). Inconsistencies noted in the methodology as described in the Hydrology Technical Report for the project, include but are not limited to, use of (a) Type I rainfall distribution curve, (b) composite CN for loss computation, (c) SCS/NRCS dimensionless unit hydrograph, (d) lag time factors, etc. Since the baseline condition and project impacts were analyzed using methods other than the Orange County criteria and standards, there is a need after a preferred alternative has been selected by the FHWA and TCA, to perform the necessary engineering analyses using methodology and parameters consistent with the Orange County criteria and standards for the portion of the project within Orange County limits. The engineering analyses including hydrology and hydraulic analyses are needed to verify baseline condition, developmental impacts, and mitigation measures to Orange County criteria. The analyses should be submitted to the County's Flood Control Division for review and approval. R4-1
3. Because the hydraulic analyses presented in the Location Hydraulics Report are partly based on the results of the Hydrology Technical Report, further detailed analyses (based on updated hydrology study mentioned in No. 1 above) should be performed using Orange County criteria after a preferred alternative has been selected to ensure changes in water surface elevation, flow velocities and scour patterns are appropriately mitigated. R4-2
4. Because of project encroachments into existing floodplains at stream crossings, the rise in water surface elevation could result in wider floodplain areas, deeper water surface elevations, and shifting of flooding elsewhere. Letters of Map Revision (LOMR) should be processed through the Federal Emergency Management Agency (FEMA) for all changes to existing floodplains. Additionally, approval of owners of lands and properties that will be affected by floodplain changes (if any) due to rise in water surface elevation should be received and/or appropriately mitigated. R4-3
5. If any flood control or drainage facilities are to be improved and turned over to either the County of Orange or Orange County Flood Control District (OCFCD), such improvements should be brought to the attention of Manager of the County's Flood Control Division. Concept design or preliminary engineering of such facilities should not commence without receiving input from the Manager of the Flood Control Division. Discharges to be used in the design of proposed flood control or drainage facilities should be approved by the Manager of the Flood Control Division. Furthermore, an agreement with OCFCD may be required to address issues such as engineering plan review, construction inspection, maintenance access, right-of-way dedication, etc. in the event that flood control facilities are to be accepted by OCFCD for operation and maintenance. R4-4
6. Design of bridges over facilities owned by the County of Orange or OCFCD should be coordinated with the County's Bridge Design Section. R4-5
7. Encroachment permits from the County's Public Property Permits Section are required prior to any work within County of Orange and/or OCFCD right-of-way. R4-6

OPEN SPACE/RECREATION

Volume 1, Executive Summary:

8. Pages ES-106 through ES-107, Summary of Adverse Impacts and Mitigation Measures Related to Pedestrian and Bikeway Facilities:

Throughout the DEIS/SEIR, references to "Pedestrian and Bicycle Facilities" headings should be titled "Bikeway and Trail Facilities". In County terminology, bikeways are paved; trails are unpaved. Bicyclists and pedestrians use bikeways; mountain bicyclists, pedestrians, and equestrians use trails. This is important because paved facilities are completely separate from unpaved facilities, and must be accommodated separately by the subject project. For example, the San Juan Creek Trail is a completely separate facility from the San Juan Creek Bikeway, and grade-separated crossings of the transportation corridor must be wide enough to accommodate both facilities.

R4-7

Volume 2:

9. Section 4.5. Pedestrian and Bicycle Facilities Impacts and Mitigation Measures:

As noted above, the titles and text throughout this section should be changed from "Pedestrian and Bicycle Facilities" to "trails and bikeways". Also, any references to "Class II and III bicycle trails" should be changed to "Class II and III bikeways" or "bike lanes". (Class II and III bikeways are on-road facilities, not off-road trails.)

R4-8

10. Section 4.5.1: To correct a few factual errors, we suggest re-writing this paragraph as follows:

"Pedestrian, equestrian, and bicycle facilities (facilities) in the SOCTIP study area...Facilities in the SOCTIP study area are classified as either riding, and hiking trails or Class I bikeways. Riding and hiking trails are unpaved and off-road, and are used by equestrians, pedestrians, and mountain bicyclists. Class I bikeways are paved and off-road, and are used by bicyclists and pedestrians. In addition, Class II and Class III bikeways..."

R4-9

11. Section 4.5.1.9: To correct a few factual errors, we suggest re-writing this paragraph as follows:

"Table 4.5-1) describes the existing pedestrian, equestrian, and bicycle facilities in the SOCTIP study area in unincorporated Orange County, including...Existing facilities in unincorporated County include riding and hiking trails and Class I bikeways. There are proposed trails and bikeways in the unincorporated County territory in the study area." [We suggest deleting references to parks, because all

R4-10

parcs have trails but not all parks have Class I bikeways. For example, Riley WP does not have a Class I bikeway.]

R4-10

12. Section 4.5.2.4, Direct Acquisition:

We do not agree with the statement "The alignment and/or boundary of the [recreation] facility can be adjusted based on the selected alternative." Trails and bikeways have specific standards, such as grade and width that require precise alignment planning. It is essential that the project not preclude a trail or bikeway by moving it to an alignment that is unsuitable, due to steep grades, narrow width, etc. (We also suggest noting in the text that this is addressed somewhat by the mitigation measures on page 4.5-21.)

R4-11

13. Section 4.5.2.5, Assessment of Noise Impacts:

This section implies that the noise generated by the project would not significantly impact trail and bikeway users because they would be using these facilities only intermittently. However, one of the reasons users seek out trails and bikeways is to obtain relief from the noise of traffic and the urban environment. Traffic noise is disruptive to the trail experience. Also, animals often use trails as wildlife corridors, and, like humans, would be adversely affected by the noise.

R4-12

14. Section 4.5.2.5, Assessment of Visual Impacts:

We suggest applying designs/patterns and vegetation such as vines to sound walls and retaining walls, in order to soften the hardscape and make it more aesthetically appealing.

R4-13

1. Section 4.5.3.2, Alternatives FEC-W, FEC-M, CC, CC-ALPV, and A7C-FEC-M:

The extension of the Wagon Wheel Trail westward to Trabuco Creek is not depicted on the County's Master Plan of Regional Riding and Hiking Trails. However, this potential extension, which is needed to connect the Wagon Wheel Trail to the Arroyo Trabuco Trail, should be accommodated by the project.

R4-14

16. Section 4.5.3.2, AIO Alternative:

Note: this may also impact the proposed Trabuco Creek Bikeway.

R4-15

17. Section 4.5.3.2, I-5 Alternative:

Note: this may also impact the proposed Trabuco Creek Bikeway and Arroyo Trabuco Trail.

R4-16

18. Table 4.5-11:

R4-17

Under Riley WP, change “unpaved hiking and Class I bicycle trails” to “riding and hiking trails”. Under O’Neill RP, change “hiking/Class I bicycle/riding trails” to “riding and hiking trails and a Class I bikeway”.

R4-17

19. Table 4.5-14:

To emphasize that paved and unpaved routes are completely separate facilities that should be accommodated separately by the project, we request that “riding and hiking trails” (or simply “trails”) be used for unpaved routes, and “bikeways” for paved routes. “Class I bikeway” denotes a paved off-road route that is used by both bicyclists and pedestrians. “Riding and hiking trail” denotes an unpaved route that is used by equestrians, pedestrians, and mountain bicyclists. This will also comply with County terminology and facility names. We request this to ensure that grade-separated crossings will accommodate both trails and Class I bikeways as separate facilities needing adequate space for both. The table’s text should read as follows:

R4-18

Existing:

R4-19

20. Rancho San Clemente Ridgeline Bikeway: “A local Class I bikeway that...”

21. Trabuco Ridge Trail: “A local riding and hiking trail...”

R4-20

22. San Juan Creek Bikeway: “A regional Class I bikeway that parallels San Juan Creek from Camino Lacouague to Doheny State Beach...”

R4-21

23. San Juan Creek Trail: “A regional riding and hiking trail that parallels San Juan Creek from the San Juan Capistrano City boundary to Stonehill Drive...”

R4-22

24. Aliso Creek Bikeway: “A regional Class I bikeway that parallels Aliso Creek from Portola Hills in Lake Forest to south of Aliso Creek Road in Laguna Niguel.”

R4-23

25. Aliso Creek Trail: “A regional riding and hiking trail that parallels Aliso Creek from Portola Hills in Lake Forest to south of Aliso Creek Road in Laguna Niguel.”

R4-24

Proposed:

26. Proposed San Juan Creek Bikeway Extension: “A regional Class I bikeway proposed to be an extension of the existing San Juan Creek Bikeway. This bikeway is proposed to extend from its existing terminus in San Juan Capistrano to Caspers Wilderness Park.”

R4-25

27. Table 4.5-19: Change “EMA” to “RDMD” (the County’s Resources and Development Management Department).

R4-26

28. Following tables: Add Class I bikeways in addition to riding and hiking trails.

R4-27

29. Prima Deshecha Landfill: Four of the proposed Alternatives would cross the landfill site and the proposed alignment of the Prima Deshecha Trail, a regional riding and hiking trail. The project must provide grade-separated crossings for this regional trail and local connecting trails. R4-28
30. Grade-separated crossings: In general, the County would require grade-separated crossings for all regional trails and bikeways crossing the project alignment. R4-29

Volume 3:

30. Section 4.18, Visual Resources Impacts and Mitigation Measures:
- Table 4.18-1, Summary of Long Term Impacts by Assessment Unit For FEC-W Alternative, indicates within the "Community Character" category, a conflict with the policies of the County of Orange related to oak trees are deemed to be substantially adverse. Therefore, a mitigation measure should be incorporated within the EIS/SEIR requiring Tree Preservation Plan submittal for proposed removed oak trees subject to approval by the lead agencies in consultation with the County's Harbors, Beaches and Parks Program Management Division, for areas within unincorporated County areas, prior to the issuance of any grading permits. R4-30

Volume 4:

31. Section 4.25, Recreation Resources Impacts and Mitigation Measures:
- a. Proposed San Juan Creek Regional Park:
- The text should be revised to correctly reflect the proposed park is not identified within the Regional Recreation Facility Component of the Recreation Element of the County of Orange as a proposed regional park. Although Rancho Mission Viejo is offering to dedicate park acreage to the County in fee as part of its "Ranch Plan", the County does not intend to accept the offer of dedication. Moreover, Rancho Mission Viejo does not intend to operate the proposed facility as an owner/operator as indicated within Table 4.25-7, Recreation Resources in Unincorporated Orange County. R4-31
- b. Proposed Prima Deshecha Regional Park:
- Corridor alternatives that bifurcate and fragment proposed Prima Deshecha Regional Park might preclude its full utility and opportunity to operate as a regional recreational facility as now envisioned. Moreover, no bridges or under crossings are proposed in relation to alternative corridor alignments through the park site and would preclude east-west access by park users to opposite sides of the park. This should be acknowledged within the impact analysis for Recreation Resources within the DEIS/SEIR text. R4-32

32. Section 7.0, California Environmental Quality Act Evaluation:

Table 7.26-1, Summary of Impacts, Mitigation and Level of Significance for Recreation Resources:

Reference within the table to fragmentation of Proposed Prima Deshecha Regional Park by applicable alternative alignments leading to a conclusion of mitigation of impacts to a level of less than significant, by application of Mitigation Measures R-2 and R-3, appear inconsistent within a conclusions found elsewhere within subject documentation. Section, 2.25.3.2, Long-Term Impacts Related to Recreation Resources, indicate fragmentation impact will be adverse for those same alternatives. The text of DEIS/SEIR should be revised to be internally consistent in this regard.

R4-33

CULTURAL/HISTORICAL

33. The language in the proposed EIS/SEIR should be updated to use current standard conditions for cultural resources management so that any recovered artifacts and fossils are prepared properly and their disposition is addressed as needed. The County of Orange Curation Project, funded by a TEA grant, has produced a set of guidelines and procedures as a model for cultural resource professionals to use in the field and in preparing the collections, including a recommended database. This information may be accessed on the California State University Fullerton Anthropology Department website. <http://anthro.fullerton.edu/orangecocuration>.

R4-34

34. If Caltrans does not have its own repository for those cultural resource artifacts, which may be discovered during the site development, we suggest that the materials be donated to a suitable repository that will maintain the collection for future scientific study and exhibition "within Orange County," following the Board of Supervisors example. Prior to donation, the certified cultural resources consultant should prepare the collection "to the point of identification."

R4-35

35. The project proponent should be prepared to pay "potential curation fees" to the County or other suitable repository for the long-term curation and maintenance of donated collections.

R4-36

36. The DEIS/SEIR states that a Memorandum of Agreement or Programmatic Agreement related to cultural resources management is in preparation and will be complete prior to the Final EIS/SEIR. This agreement should also include the updated language for curation and disposition of any finds and provide for the funding of their storage and curation.

R4-37

37. Mitigation Measure HR1 recommends a HABS survey for historic properties to be removed as a result of the project. In many cases, a HABS survey is not adequate mitigation for the loss of irreplaceable historic resources. Among new provisions for

R4-38

historical resources, CEQA puts lead agencies on notice that, in many circumstances, the very popular method of mitigating impacts on historical resources by way of documentation (e.g. historic narrative, photographs or architectural drawings) will not mitigate the effects to a point where clearly no significant effect on the environment would occur. (§§15064.5/15126.4/15331)

R4-38

38. The cultural resources analysis separated out paleontological resources into a separate section placed physically apart from the discussion on historical and archaeological resources. This is difficult for the reader to connect the entire scope of impacts to cultural resources within such a large volume of information and is not typical of environmental analysis contained within other environmental documents, which address both archaeo and paleo resources within the same cultural resources analysis section. What was the purpose of this confusing outline?

R4-39

39. Mitigation Measure P-3 e states that any fossil finds will be curated to the point of curation, which is good. The matter of their disposition is not addressed and should be included in this mitigation as well as in any proposed Programmatic Agreement. The lead agency should donate any finds to the County of Orange and be prepared to pay potential curation fees as stated in the County of Orange Standard Conditions and Guidelines, Procedures and Policies: County of Orange Archaeological/Paleontological Curation document accessible on the above mentioned CSUF website.

R4-40

TRANSPORTATION

40. The subject project analyzes eight circulation alternatives and two no project alternatives. Seven of these alternatives will have significant impact on County General Planning activities in southern Orange County. Four of these alternatives will have significant negative impacts on existing and approved land use development in the established communities of Las Flores and Ladera as well as existing and planned operations of the Prima Deshecha landfill. In addition, the arterial improvement alternative which requires eight lanes on Antonio Parkway between Oso Parkway and Ortega Highway and six lanes east of Ortega Highway is inconsistent with the County's Circulation Plan. These alternatives, 1) Arterial Improvements only alternative, 2) Central Corridor (CC) 3) Central Corridor-Avenida La Pata variation and 4) Alignment 7 Corridor are inconsistent with County plans, programs and policies.

R4-41

41. In addition, the County and Cities of San Clemente and San Juan Capistrano are currently preparing a project report and EIR for the extension of La Pata Avenue (Project) from Ortega Highway to Calle Saluda in San Clemente. The project is proposed as a four-lane facility consistent with the County's circulation plan. The four westerly alignments, addressed previously, are inconsistent with planning efforts by the County and the Cities on this project. A review of the subject traffic analysis also indicates that these alignments do not result in any significant traffic benefits to this area because they terminate at arterial highway intersections within the City of San Clemente with little benefit to I-5 or the local arterial highway system.

R4-42

42. The project also proposed three eastern alignments: Far East Corridor Modified, Far East Corridor West, and Alignment 7 Corridor Far East Crossover. These alignments traverse the "Ranch" planning area that is currently in the planning stage at the County. An Environmental Impact Report, General Plan and Zoning applications are in the process at the County for this development. R4-43
43. Of the three Eastern Alignments, the Far East Alignment appears to provide the most significant traffic benefit to the circulations system in this area and the least impact on habitat and planning activities within the Ranch, and support of the purpose and need statement of the project. R4-44
44. The I-5 widening alternative does not have any significant impact upon the County land use planning in South Orange County. R4-R5

WASTE MANAGEMENT

45. Summary

The following alignment alternatives are entirely incompatible with County integrated waste programs/facilities: 1. Central Corridor-Complete, 2. Central Corridor-Avenida La Pata Variation, 3. Alignment 7 Corridor-Avenida La Pata Variation and 4. Arterial Improvements Only, because they would split the Prima Deshecha Landfill site, permanently displace critical landfill capacity, and void the County-approved development plan for the property. The Prima Deshecha Landfill is an essential public service, and south Orange County has no additional property for replacement of lost disposal capacity. Consequently, approval of any of these alternatives would cause a severe and irreversible impact on the future growth of south Orange County. R4-46

The description of these four alternatives in the environmental document appears to assume that the Prima Deshecha property is simply available open space. The impact analysis has relied on a report by Bryan A. Stirrat and Associates (BAS) for the Transportation Corridor Agencies. This report, dated October 28, 2002 is incomplete and estimates only the revenue losses from displaced refuse disposal capacity and early landfill closure from development of each of the rights of way that cross the Prima Deshecha property. This scope is much too narrowly drawn to provide an adequate disclosure of either the costs from lost capacity or from other kinds of impacts important to an adequate evaluation. R4-47

Also, with respect to the overall document, analysis and mitigation for the following impacts are missing, incorrect, or inadequate:

- a. Refuse and revenue flow control. Contracts with south County cities for in-County waste and with regional haulers for imported waste will become obsolete or invalid. R4-48
- b. Relocation of on-site infrastructure and environmental control systems.

c. Surface and ground water quality

R4-48

d. Blocked landfill vehicle circulation.

e. Biological resources, in-place and planned biomitigation programs, future conservation easement area, and wildlife movement corridor.

46. Waste Disposal Agreements with south County cities for in-County waste and with regional haulers for imported waste will become obsolete or invalid.

This Orange County capacity loss can neither be mitigated nor replaced. As a result, the County would lose control of disposal costs and the residents of Orange County would have to pay higher fees, much earlier than would otherwise be the case.

R4-49

Importation of refuse is planned until the year 2015, well after implementation of any of these SOCTIIP alternatives. Consequently, recovery of lost revenue from the landfill will impact Waste Disposal Agreements that will have to be renegotiated, and will seriously impact the County's ability to pay outstanding debt from the 1994 bankruptcy.

47. The BAS Study Underestimates and Ignores Impacts to Prima Deshecha Landfill

Figure 4.24-4 in the DEIS/SEIR shows the four referenced alignments and how they would cross the Prima Deshecha Landfill site. According to the DEIS/SEIR, the Central Corridor-Complete, and the Central Corridor-Avenida La Pata Variation have the same alignment as they cross the Prima Deshecha Landfill site. The selection of either alternative would result in significant impacts to the landfill operation and overall capacity of the landfill, thereby reducing its life.

R4-50

On page 4.4-17 and on page 4.29-69, the DEIS/SEIR discloses the results of an analysis by Bryan A. Stirrat & Associates (BAS) for the TCA. SOCTIIP has relied on an inadequate study with parameters that are too narrow. The report, dated October 28, 2002, estimates the additional costs from lost refuse disposal capacity for each of the alignments that cross the Prima Deshecha property. Comments on the adequacy of that report are as follows:

1. & 2. Central Corridor-Complete and the Central Corridor-Avenida La Pata Variation

R4-51

According to the BAS study:

- a. Permanent acquisition of 92.8 acres of Prima Deshecha property would be required.
- b. Both Alternatives would result in an airspace volume reduction of 4.4 million cubic yards (mcy) (2.3 million tons) and a lifespan reduction of 1.9 years.

- c. The estimated additional cost to ratepayers from either of these two alternatives would be \$53 million.

R4-51

However, the BAS study does not address the following:

- a. Sufficient setbacks required between landfill cut slopes and new roadway drainage channels and final cover.
- b. Sufficient right-of-way to mitigate landslides that could be caused by roadway construction.
- c. Relocation of existing landfill operations facilities such as the fee booths, scales, operations buildings, energy recovery facility, household hazardous waste collection facility, landfill gas flaring station, gas headers, water tank, and drainage facilities.
- d. Capacity losses from roadway on-and-off ramps, desilting basins, and water quality treatment basins.
- e. The County's costs to re-design the landfill, and secure revised land use entitlements and landfill permits.
- f. Impacts on biomitigation sites and permits. Orange County has secured permits from state and federal resource agencies. This alternative would have impacts to existing biomitigation areas, including riparian areas and a proposed conservation easement.
- g. Impacts to ongoing planning for the proposed Southern Coastal Subarea Natural Community Conservation Plan.

R4-52

As a result of these omissions, the loss in capacity and true cost to ratepayers will be significantly higher than the BAS estimates. In addition, the landfill life will be reduced substantially.

The analysis must be revised to address the deficiencies and be included in the Final EIS/SEIR.

Alignment 7 Corridor-Avenida La Pata Variation

According to the BAS study:

- a. Permanent acquisition of 133.3 acres at the Prima Deshecha Landfill site would be required.
- b. An airspace volume reduction of 11.25 mcy (6 million tons) and a lifespan reduction of 4.9 years would result.

R4-53

- c. The estimated additional cost to ratepayers would be \$138 million.

However, the BAS study does not address the following:

- a. Sufficient setbacks between landfill cut slopes and new roadway drainage channels and final cover.
- b. Sufficient right-of-way to mitigate landslides that could be caused by roadway construction.
- c. Relocation of existing landfill operations facilities such as the fee booths, scales, operations buildings, energy recovery facility, household hazardous waste collection facility, landfill gas flaring station, gas headers, water tank, and drainage facilities.
- d. Capacity losses from roadway on-and-off ramps, desilting basins, and water quality treatment basins.
- d. The County's costs to re-design the landfill, and secure revised land use entitlements and landfill permits.
- e. The permanent additional costs in reduced total capacity and site life should the eastern portion of Zone 4 prove to be too small and remote for landfill use.
- e. Refinement of the Zone 4 landfill development plan is nearly complete, and coordination with resource agencies is currently underway for the pre-mitigation of Zone 4 development. These plans would become obsolete with the selection of this alternative.
- f. Impacts to ongoing planning for the Natural Community Conservation Plan for the Southern Coastal Subarea.

R4-53

As a result of these omissions, the loss in capacity and true cost to ratepayers will be significantly higher than the BAS estimates. In addition, the landfill life will be reduced substantially.

The landfill capacity report must be revised based on these requirements and be included in the Final EIS/SEIR.

Arterial Improvements Only

According to the BAS study:

- a. Permanent acquisition of 60.6 acres of Prima Deshecha property would be required.

R4-54

- b. The alternative would result in a lifespan reduction of 0.1 years.
- c. The estimated additional cost to ratepayers would be \$3 million.

However, the BAS study does not address the following:

- a. Relocation of existing landfill operations facilities such as the fee booth, scales, operations buildings, energy recovery facility, household hazardous waste collection facility, landfill gas flaring station, gas headers, water tank, and drainage facilities.
- b. Capacity losses from roadway on-and-off ramps, desilting basins, and water quality treatment basins.
- c. The County's costs to re-design the landfill, and secure revised land use entitlements and landfill permits.
- e. Impacts on biomitigation sites and permits. Orange County has secured permits from state and federal resource agencies. This alternative would have impacts to existing biomitigation areas, including riparian areas and a proposed conservation easement.
- f. Impacts to ongoing planning for the Natural Community Conservation Plan for the Southern Coastal Subarea.

R4-54

As a result of these omissions, the loss in capacity and true cost to ratepayers will be significantly higher than the BAS estimates. In addition, the landfill life will be reduced substantially.

The landfill capacity report must be revised based on these requirements and be included in the Final EIS/SEIR.

Furthermore, Mitigation Measure PS-11, included on page 4.24-55 of the Draft EIS/SEIR indicates that in order to reduce significant impacts to the capacity of the Prima Deshecha Landfill, the Lead Agencies will consult with the County's Integrated Waste Management Department (IWMD) before implementing a selected project alternative. The Draft EIS/SEIR indicates that with the implementation of this alternative, the loss of landfill capacity will be reduced to a less than significant level. IWMD strongly disagrees with this assessment. Consultation with IWMD will not in any way reduce the significant environmental, operational and financial impacts to the County that would occur if one of the four alternatives that would cross the Prima Landfill is selected, nor would it minimize the loss of landfill life. Mitigation Measure PS-11 is inadequate, since it would not preclude any of the four alternatives from crossing the landfill site, necessitating the excavation up to 2.0 million cubic yards of refuse, the unavoidable and significant disruption of the existing landfill operation, the impacts to habitat and existing

R4-55

biomitigation areas, and the long-term permanent loss of solid waste disposal capacity to the residents of Orange County, which is an unavoidably significant adverse impact. There is no south County replacement opportunity for lost disposal capacity at the Prima Deshecha Landfill.

R4-55

48. Analysis of Financial Impacts and Mechanisms for Compensation of Real Property Losses are Inadequate

As explained above, the BAS report seriously underestimates the complete financial loss to the County that would occur. The SEIR/EIS must be revised to show all of these costs, in order to assess the true significant impacts to the County.

Mitigation Measures SE-1 and SE-2 are inadequate and insufficient to deal with the landfill. These mitigations are standard responses intended to address moving or replacing homes or businesses temporarily or permanently displaced by the roadway. The mitigation measures assume that there is available space where these facilities can be moved and that the agency can adequately reimburse the owner. This is not true with respect to the landfill. There is no alternative location in south Orange County for the landfill or replacement of the disposal capacity that would be lost should these alignments go through Prima Deshecha Landfill. The loss would be permanent and irreplaceable. Reimbursement could not compensate for the lost capacity.

R4-56

Solid waste generated in south Orange County would have to be prematurely exported out of the County if disposal capacity were impacted by the road. This would create additional long haul traffic and increase transportation and disposal costs for its residences and businesses. The impact on future growth would be significant.

R4-57

At the present time, there is no permitted landfill within southern California that has sufficient excess capacity to accept an additional 4,000 tons per day, the permitted disposal capacity at Prima. The development of two remote sites, one in Riverside County and one in Imperial County, have been delayed by litigation due to community opposition. Until and unless additional landfill capacity is developed in the region, it would be necessary to export waste out of state, to landfills in Arizona, Nevada, and Utah.

R4-58

49. Analysis and Mitigation for Impact on Hydrology and Water Quality is Inadequate

The DEIS/SEIR, Section 4.8 Floodplains, Waterways and Hydrologic Systems and Section 4.9 Water Quality do not include any discussion or analysis of the four alignments' impacts on the Prima Deshecha Landfill site related to drainage and water quality. If any of these four alternatives were selected, they would cause significant new volumes of runoff to drain onto the landfill site and into the Prima Deshecha Cañada. The landfill storm water collection system is not designed and sized to accommodate the significant new volumes of runoff that would occur. The DEIS/SEIR does not address how these impacts would be addressed. As a result, this substantial increase in drainage would severely impact the landfill storm water collection system. Potential flooding of

R4-59

current and former waste disposal areas would be a potentially severe adverse impact and would result in serious public health and safety issues. The Lead Agencies will need to mitigate these impacts and redesign the storm water runoff system.

R4-59

In addition, the development of any of these four alternatives through the Prima Deshecha Landfill site would add new sources of pollutants from roadway runoff (i.e., grease, oil, metal shavings, etc.) that would drain into the restored sensitive habitat of Prima Deshecha Cañada. Prima Deshecha Cañada is an IWMD restored biomitigation channel, which provides valuable riparian habitat for the least Bell's vireo. Significant increases in pollutant volumes or dramatic increases in sediment during roadway construction could result in significant adverse impacts to the biomitigation areas. In addition the eastern portion of Zone 4 is identified as a groundwater recharge area to the underlying aquifer that supplies surface runoff to this stream. Alignment 7 Corridor-Avenida La Pata Corridor will essentially eliminate or permanently and substantially alter the groundwater recharge in this eastern portion of Zone 4. This riparian corridor is part of a required mitigation for the landfill site, and to ensure its survivability, control of both the quantity and quality of runoff and ground water recharge into the Prima Deshecha Cañada is required.

R4-60

To ensure ground water recharge for Zone 4, hydrological infrastructure must be designed and incorporated into the development plan. Proof that the design is sufficient and feasible must be demonstrated to the resource agencies in order to secure permits for Zone 4 development.

R4-61

In order to mitigate the flooding and water quality effects that these four alternatives will have on the Prima Deshecha Landfill site, the Final EIS/SEIR should include a detailed plan for controlling the volume of storm water runoff and quality of runoff for the construction and operation of the roadway within the Prima Deshecha Landfill site. The plan should specifically outline the steps that will be taken to ensure that the runoff from the roadway will not impact the landfill storm water collection system or former and current waste disposal areas. In addition, this plan should include structural control Best Management Practices, such as desilting basins, water quality treatment basins or constructed treatment wetlands that will both control and improve the quality of runoff from the new roadway into the Prima Deshecha Landfill site.

R4-62

50. Mitigation for Blocked Landfill Vehicle Circulation is Incomplete

The Central Corridor-Complete, Central Corridor-Avenida La Pata Variation, Alignment 7 Corridor-Avenida La Pata Variation and Arterial Improvements Only Alternatives would all result in unavoidable significant adverse impacts to the existing landfill operation. Maintaining ingress and egress for refuse vehicles during construction may require providing access from both the north and south.

R4-63

Any proposed corridor alignment through the landfill must provide on-and-off ramps for refuse truck circulation to Zones 1 and 4, and these ramps will displace additional landfill capacity. Most importantly, none of the four alternatives allow for east-west travel of

heavy equipment across the landfill property. Since no bridges or undercrossings are proposed, the property would be permanently bisected, permanently restricting the County's ability to service and maintain the landfill during its operations phase and impacting wildlife corridor movement in perpetuity.

R4-63

51. Consequences of Excavation of Buried Solid Waste is Not Fully Addressed

The Central Corridor-Complete and Central Corridor-Avenida La Pata Variation Alternatives will require the excavation of approximately 2.0 million cubic yards and Arterial Improvements Only will require the excavation of approximately 0.3 million cubic yards of refuse previously landfilled in Waste Management Unit 2.

Mitigation Measure HM-11 included on page 4.7-18 of the DEIS/SEIR is inadequate as it does not propose a specific plan to safely excavate to 2.0 million cubic yards of refuse that has been previously landfilled at the Prima Deshecha Landfill site. This mitigation measure does not specifically outline the steps needed for the protection of health and the environment when excavating a landfill. These measures do not adequately address these impacts.

R4-64

52. Impacts to Sensitive Biological Species, Future Conservation Easement Area and Wildlife Movement Corridor are not Disclosed

The County's IWMD staff, Planning staff, and IWMD consultants are working with state and federal resource agency staff to implement the 401, 1601, and 404 permits for current landfill operations, to prepare regional planning documents that include the landfill property, and to pre-mitigate for future landfill development to buildout. Three of the four referenced alignments (nos. 1, 2, and 4) will severely impact biological mitigation areas at the Prima Deshecha Landfill site, and all four of the alignments will impact wildlife movement corridors. In addition, these four alignments will severely impact IWMD's future pre-mitigation plans, and future regional habitat resource planning for landfill build-out.

R4-65

The Final EIS/SEIR must identify the specific impacts to biological resources that these four alternative alignments will create as they cross the Prima Deshecha Landfill site. Apart from biomitigation areas, the property impacted by the alignments contains native sensitive species, including upland vegetation and riparian vegetation. This analysis must include both current and future habitat biomitigation projects at the Prima site, and must also identify proposed mitigation for these impacts to biological resources. Costs are yet to be determined and must include a permanent legal requirement for mitigation construction, and perpetual maintenance for the habitat impacted.

R4-66

53. Other Omissions and Errors

- a. It is not appropriate to place the location of the analysis on landfill capacity loss in Section 4-24, Public Services and Utilities, which is intended to address impacts on demand for solid waste disposal services. It would be more

R4-67

- appropriate to create a separate section to identify impacts to the landfill property and landfill system. This is because the analysis involves impacts to the property and the essential public service provided by the County's Integrated Waste Management Department, which goes beyond the provision of services. R4-67
- b. Provisions for maintaining landfill security during and after construction is not addressed. R4-68
- c. On page 4.24-4, under the heading Solid Waste Disposal Services, the description of existing landfill conditions contains incorrect references and quantities. The following information should be corrected:
- i. WDR 93-86 and WDR 89-102.
 - ii. 1979 Development Plan should be replaced with 2001 General Development Plan. R4-69
 - iii. 62 million cubic meters.
 - iv. 81 million cubic yards.
 - v. 50.8 mcm (66.4 mcy).
- d. On page 4.24.5, the third bullet should be revised to insert the words "load-check" before the words "... facility for the temporary storage of hazardous materials." R4-70
- e. On page 4.24.5, under the subheading Zone 1, the sentence "The current post-closure designated use for Zone 1 is a regional park and an 18 hole golf course" should be deleted. The approved 2001 General Development Plan does not commit to a golf course, or any specific use. R4-71

WATER QUALITY

54. Section 4.8 – The text refers to 303(d) listings based on the 1998 303(d) List. This section should be re-evaluated using the 2002 303(d) List. Additionally, the section states that the bacteria listings for the Aliso Creek, San Juan Creek, Prima Deshecha Canada and Segunda Deshecha watersheds are low priority for Total Maximum Daily Loads (TMDLs) development. The TMDLs for these watersheds are currently under development by the San Diego Regional Water Quality Control Board (San Diego RWQCB), and the draft technical document is available for review on the San Diego RWQCB web page. The EIS/SEIR should include a discussion of this document and how the project may impact the TMDL. R4-72
55. Section 4.9 - The summary of the potential impacts of the project on water quality is not sufficient. The water quality impacts of the project should be evaluated in accordance with the provisions outlined in Exhibit 7-1 of the 2003 Countywide Drainage Area R4-73

Management Plan (DAMP). At a minimum, the following information should be provided:

- a. A description of project characteristics with respect to water quality issues, such as project site location in a given watershed, site acreage, changes in percent impervious surface area, and BMPs to be incorporated into the project design.
- b. A review of DAMP Exhibit 7.1 Table 7-1.1, Priority Projects Categories. Projects that fall into one of these categories should be carefully reviewed for potential stormwater/urban runoff impacts.
- c. Identification of receiving waters. The EIS/SEIR should identify all receiving waters that may receive runoff from the project site.
- d. A description of the sensitivity of the receiving waters. In particular the EIS/SEIR should identify Areas of Special Biological Significance, water bodies with TMDLs, 303(d) listed impaired water bodies and additional water bodies specified by the San Diego RWQCB that may be impacted by the proposed project.
- e. A characterization of the potential water quality impacts from the proposed project and identification of the anticipated pollutants to be generated by the project.
- f. An identification of hydrologic conditions of concern, such as runoff volume and velocity; reduced infiltration, and increased flow, frequency, duration, and peak of storm runoff. The text only discusses erosion in relation to 100-year flood events. Impacts from smaller, more frequent storms should be evaluated and discussed. The Erosion and Sediment Analysis in Section 4.9.2.4 (page 4.9-7) makes two assumptions that are questionable:
 - i. Under existing conditions, runoff and sediment discharges in a reach are in a state of equilibrium. No supporting reconnaissance and/or evidence has been given to support this assumption;
 - ii. Project cut and fill slopes will be re-vegetated after construction and will not provide additional sources of sediment. This assumption is dependant on the maintenance of the vegetation that is not discussed.
- g. An assessment of project impact significance to water quality.
- h. An evaluation of thresholds of significance.
- i. If a proposed project has the potential to create a major new stormwater discharge to a water body with an established TMDL, the EIS/SEIR should consider quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters.
- j. A reasonable analysis of the cumulative impacts of the proposed project together with past, present and reasonably anticipated future projects (related projects) that could produce cumulative impacts with the proposed project.

R4-73

56. A discussion of implementation of post-construction BMPs consistent with the Water Quality Management Plan (WQMP) program in Section 7 and Exhibit 7-II of the 2003 Countywide DAMP should be addressed. This includes describing commitments to installation and maintenance of site design, source control and treatment control BMPs consistent with the DAMP New Development and Significant Redevelopment Program. Under the new Municipal Stormwater NPDES permit and the 2003 DAMP, this project will be considered a priority project and will require appropriately sized treatment control BMPs to be included in the WQMP.

R4-74

57. Mitigation for the construction phase of the project should include compliance with the State General Construction Permit and the inclusion of the following as general or specific notes on project plan sheets:

- a. Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.
- b. Stockpiles of soil shall be properly contained to eliminate or reduce sediment transport from the site to the streets, drainage of facilities or adjacent properties via runoff, vehicle tracking, or wind.
- c. Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
- d. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to reduce or remove sediment and other pollutants.
- e. All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
- f. At the end of each day of construction activity all construction debris and waste materials shall be collected and properly disposed in trash or recycle bins.
- g. Construction sites shall be maintained in such a condition that a storm does not carry wastes or pollutants off the site. Dischargers other than stormwater (non-stormwater discharges) are authorized under California's General Permit for Storm Water Discharges Associated with Construction Activity only where they do not cause or contribute to a violation of any water quality standard and are controlled through implementation of appropriate BMPs for elimination or reduction of pollutants. Non-stormwater discharges must be eliminated or reduced to the extent feasible.

R4-75

Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, solvents, detergents, glues, lime, pesticides, herbicides, fertilizers, wood preservatives, and asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants and hydraulic, radiator or battery fluids; concrete and related cutting or curing residues; floatable wastes, wastes from any

engine/equipment steam cleaning or chemical degreasing; wastes from street cleaning; and superchlorinated potable water line flushing and testing.

During construction, disposal of such materials should occur in a specified and controlled temporary area on-site physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.

R4-75

- h. Discharging contaminated groundwater produced by dewatering groundwater that has infiltrated into construction site is prohibited. Discharging of contaminated soils via surface erosion is also prohibited. Discharging of non-contaminated groundwater produced by dewatering activities requires a National Pollutant Discharge Elimination System (NPDES) permit from the San Diego Regional Water Quality Control Board.

Thank you for the opportunity to respond to the DEIS/SEIR. If you have any questions, please call Charlotte Harryman at (714) 834-2522.

Sincerely,



Timothy Neely
Director of Planning

cc: Board of Supervisors
CEO
Vicki Wilson, Deputy CEO



City of La Habra

"A Caring Community"

ADMINISTRATION BUILDING

201 E. La Habra Boulevard
P.O. Box 337
La Habra, CA 90633-0337
Office: (562) 905-9700
Fax: (562) 905-9719

May 28, 2004

Ms. Marcie Cleary-Milan
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, California 92618

Re: Notice of Availability Draft EIR
South Orange County Transportation Infrastructure Improvement Project

Dear Ms. Milan,

Thank you for the opportunity to review the Notice of Availability and Draft Environmental Impact Report for the project known as the "South Orange County Transportation Infrastructure Improvement Project". As a possible affected community, the City of La Habra has reviewed the environmental document and has no concerns at this time. If the project were to change in scope, we would request notification and the opportunity to review and comment on such actions.

L1-1

If you should have any questions, please feel free to contact me at (562) 905-9724.

Sincerely,

Carlos Jaramillo
Dep. Dir. of Community Development

cc: Brad Bridenbecker, City Manager
Lisa Heep, Director of Community Development
Jennifer Cervantez, Assistant to the City Manager

City of Anaheim
PLANNING DEPARTMENT

June 2, 2004

Macie Cleary-Milan, Deputy Director
Transportation Corridor Agencies
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

RE: Notice of Availability of the Draft Environmental Impact
Statement/Subsequent Environmental Impact Report(EIR/SEIR) for
Transportation Corridor Agencies South Orange County Transportation
Infrastructure Improvement Project (SOCTIIP)

Dear Ms. Cleary-Milan:

Thank you for the opportunity to review the above-referenced document. City
staff has reviewed the document and has no comments at this time.

Please forward any subsequent public notices and/or environmental documents
regarding this project to my attention at the address listed below.

If you have any questions regarding this response, please do not hesitate to contact
me at (714) 765-5139, Extension 5739.

Sincerely,



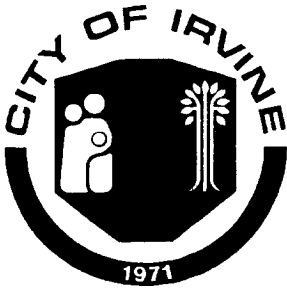
Marie Newland, AICP
Assistant Planner

REC'D JUN 07 2004

mnewland/respagenciesSOCTIIP.doc

200 South Anaheim Boulevard
P.O. Box 3222
Anaheim, California 92803

TEL (714) 765-5139



City of Irvine, One Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 (949) 724-6000

July 26, 2004

REC'D JUL 30 2004

Ms. Macie Cleary-Milan
Deputy Director, Environmental and Planning
Transportation Corridor Agencies
P.O. Box 53770
Irvine, CA 92619-3770

**Subject: South Orange County Transportation Infrastructure Improvement
Project DEIS/SEIR**

Dear Ms. Cleary-Milan:

The City of Irvine has reviewed the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft Environmental Impact Statement/Subsequent Environmental Impact Report (DEIS/SEIR). The City has tried to tie comments to the specific sections and pages involved, however, some comments are of a general nature and have been included in a general comments section.

General Comments:

The TCA is commended for preparing an easy to read document for a project as large and complex as the South Orange County Transportation Infrastructure Project (SOCTIIP). We look forward to reviewing the Final Environmental Impact Statement/Environmental Impact Report.

Rancho Mission Viejo Plan/Constrained Network Alternatives:

As part of our review, the City focused on the Rancho Mission Viejo Plan/Constrained Network alternatives. These alternatives increased the traffic volumes on the Foothill Transportation Corridor north of Santa Margarita Parkway by up to 30,000 vehicles per day.

Based on current travel patterns, a significant number of vehicles using the Foothill Transportation Corridor use Bake Parkway to get to and from the I-5 and I-405. The DEIS/SEIR should identify and mitigate impacts on Alton and Bake Parkways between the I-5 and Foothill Transportation Corridor.

L3-1

Buildout Network Alternatives:

The DEIS/SEIR does not show the missing segment of Portola Parkway between Sand Canyon Avenue and Alton Parkway. Clarify if this roadway segment is assumed in the constrained and buildout networks? If not, how would its construction impact traffic on Alton, Bake, and Portola Parkways?

L3-2

I-5 Widening Alternative:

This alternative increases the volumes on I-5 by about 30,000 vehicles north of El Toro Road. Additional analysis of possible impacts to the Bake ramps and transition/by-pass lanes should be conducted if this alternative is selected.

L3-3

Weekend Traffic Analysis and Design Issues:

The DEIS/SEIR indicates that significant congestion occurs on the I-5 during the weekend and indicated that Foothill South would provide some relief by providing an alternative route. Irvine's Great Park is likely to become a regional holiday and weekend attraction. Will the Trabuco Toll Ramps for the SR-133 have enough capacity to accommodate this diverted traffic?

L3-4

Impact on San Joaquin Hills Toll Road Revenues

The Foothill South Toll Road may reduce revenues on the San Joaquin Hills Toll Road by up to 20% based on the alternative selected. Discuss how revenue impacts and cost sharing will be addressed?

L3-5

Socio-Economic Data Assumptions

The Socio-Economic Data used is consistent with the most recent Orange County Forecasts. Changes in the Orange County Great Park Area and Northern Protocol Area have occurred after the forecasts were developed. Any subsequent analysis related to the Foothill South Toll Road must reflect these changes. Our Community Development Department may send additional comments before the August 6, 2004 deadline.

L3-6

Ms. Macie Cleary-Milan
July 26, 2004
Page 3

Thank you for the opportunity to review and comment on the DEIS/SEIR. We look forward to reviewing the Final EIS/EIR. Should you have any questions or need additional information, please contact me at (949) 724-7370.

Sincerely,

A handwritten signature in black ink that reads "Peter Anderson". The signature is written in a cursive, flowing style.

PETER ANDERSON
Senior Transportation Analyst

PA:DW:icw

c: Richard J. Sandzimier, Project Development Administrator
Barry Curtis, Principal Planner
Foothill South DEIS/SEIR Project File

CITY OF LAKE FOREST



August 6, 2004

Ms. Macie Cleary-Milan
Deputy Director – Environmental Planning
125 Pacifica, Suite 100
Irvine, CA 92618-3304

Subject: Comments on Foothill-South Draft EIS/SEIR

Dear Ms. Milan:

Mayor
Peter Herzog

Mayor Pro Tem
Helen Wilson

Council Members
Richard Dixon
Kathryn McCullough
Marcia Rudolph

City Manager
Robert C. Dunek

This letter is intended to replace the letter submitted by the City of Lake Forest on July 28, 2004.

L4-1

The City of Lake Forest Development Services and Public Works Departments have reviewed the Foothill-South Draft EIS/SEIR and offer the following comments.

1. The City of Lake Forest opposes selection of the I-5 widening alternative because it would displace a large number of homes and businesses within the City of Lake Forest resulting in significant adverse socioeconomic and environmental justice impacts which remain significant after mitigation.

L4-2

2. Section ES.6.6.2 states,

“The I-5 Alternative also results in adverse impacts related to community cohesion due to the displacement of community facilities and economic impacts to the Cities of Laguna Hills, Laguna Niguel, Mission Viejo, San Juan Capistrano, and San Clemente due to reductions in property, sales, and transit occupancy tax revenues as a result of property acquisition and displacement of commercial uses.”

L4-3

This list of cities should include Lake Forest. According to Appendix L, approximately 27 single-family homes and 13 commercial properties within the City of Lake Forest would be acquired for the I-5 Alternative. Please include Lake Forest in the above-referenced section of the Executive Summary and verify that impacts to Lake Forest were properly analyzed in the Draft EIS/SEIR.

3. The City of Lake Forest supports the selection of any SOCTIIP build Alternative to complete the regional circulation system as it was intended without further impacting residents living adjacent to the Interstate 5 freeway.

L4-4

4. Discuss the threshold of significance that was used to determine the study area.

L4-5

5. According to the document, the City of Lake Forest is not part of the area encompassed within the study area.

- Understanding that the existing SR-241 runs through the City of Lake Forest, the Foothill South extension could affect the use of the ramps at Lake Forest Drive, Portola

L4-6



Ms. Milan
August 6, 2004
Page 2 of 2

Parkway and Alton Parkway. Please provide a discussion of this and how it was determined that the impacts were insignificant.

L4-6

6. According to the study, the City of Lake Forest is not part of the circulation system within the study area and, therefore, has not been considered to be affected by the project alternatives.

- It appears that the extension of SR-241 could affect the use of both the SR-241 and the I-5 within the City of Lake Forest. Specifically, there could be a shift in traffic to the SR-241 from I-5 for those that currently use the I-5 to go to and from the south. This shift could improve the impacted areas approaching the I-5. Please review and provide a discussion regarding this potential condition.

L4-7

Thank you for the opportunity to comment. If you have any questions or require further information, please contact Cheryl Kuta, Associate Planner at (949) 461-3479 or ckuta@ci.lake-forest.ca.us, or Theodore G. Simon, Engineering Services Manager at (949) 461-3488.

Sincerely,
CITY OF LAKE FOREST



Gayle Ackerman, AICP
Development Services Director

cc Robert Dunek, City Manager
Robert Woodings, Director of Public Works/City Engineer
Theodore G. Simon, Engineering Services Manager
Conrad Lapinski, City Traffic Engineer
Cheryl Kuta, Associate Planner

**This letter has been
superseded**

CITY OF LAKE FOREST



July 28, 2004

Ms. Macie Cleary-Milan
Deputy Director – Environmental Planning
125 Pacifica, Suite 100
Irvine, CA 92618-3304

Subject: Comments on Foothill-South Draft EIS/SEIR

REC'D AUG 02 2004

Mayor
Peter Herzog

Mayor Pro Tem
Helen Wilson

Council Members
Richard Dixon
Kathryn McCullough
Marcia Rudolph

Dear Ms. Milan:

City Manager
Robert C. Dunek

The City of Lake Forest Development Services Department has received a copy of the Foothill-South Draft EIS/SEIR and offers the following comments.

- The City of Lake Forest opposes selection of the I-5 widening alternative because it would displace a large number of homes and businesses within the City of Lake Forest resulting in significant adverse socioeconomic and environmental justice impacts which remain significant after mitigation.

L4-1

- Section ES.6.6.2 states,

“The I-5 Alternative also results in adverse impacts related to community cohesion due to the displacement of community facilities and economic impacts to the Cities of Laguna Hills, Laguna Niguel, Mission Viejo, San Juan Capistrano, and San Clemente due to reductions in property, sales, and transit occupancy tax revenues as a result of property acquisition and displacement of commercial uses.”

L4-2

This list of cities should include Lake Forest. According to Appendix L, approximately 27 single-family homes and 13 commercial properties within the City of Lake Forest would be acquired for the I-5 Alternative. Please include Lake Forest in the above-referenced section of the Executive Summary and verify that impacts to Lake Forest were properly analyzed in the Draft EIS/SEIR.

- The City of Lake Forest supports the selection of any SOCTIP build Alternative to complete the regional circulation system as it was intended without further impacting residents living adjacent to the Interstate 5 freeway.

L4-3

Thank you for the opportunity to comment. If you have any questions or require further information, please contact Cheryl Kuta, Associate Planner at (949) 461-3479 or ckuta@ci.lake-forest.ca.us

Sincerely,
CITY OF LAKE FOREST

Gayle Ackerman, AICP
Development Services Director





City of Mission Viejo

Office of the Mayor and City Council

Sent Via Facsimile
(Original to Follow by Mail)

Gail Reavis
Mayor
Trish Kelley
Vice Mayor
William S. Craycraft
Council Member
John Paul "J.P." Ledesma
Council Member
Lance R. MacLean
Council Member

August 3, 2004

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304
(949) 754-3483
(949) 754-3491 (fax)

RECEIVED

AUG 06 2004

TRANSPORTATION
CORRIDOR AGENCIES

Subject: City of Mission Viejo's Review of the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft EIS/SEIR

Dear Ms. Cleary-Milan,

Thank you for the opportunity to review the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Draft EIS/SEIR circulated for public review on May 7, 2004. The City of Mission Viejo, a member agency of the Foothill Transportation Corridor Agency, recognizes that this report represents the collaborative efforts of many agencies to provide the best regional transportation solutions or alternatives in constructing the completion of the final southerly segment of Foothill Transportation Corridor from its current terminus at Oso Parkway to a logical connection with other regional freeway and arterial facilities. While the final segment is located in South Orange County, a balanced circulation system benefits all of Orange County; therefore, the proposed toll road/freeway facility should be designed to provide the same high speed, limited access roadway facility, which is consistent with the existing constructed Foothill Transportation Corridor (State Route 241) and provides a viable alternative to the current Interstate 5 (I-5) with existing capacity constraints for regional traffic. The City of Mission Viejo convened a special joint meeting of the City Council and Planning and Transportation Commission on July 26, 2004, to review of the Draft EIS/SEIR and provide comments. By an 8 to 1 vote (Vice Chairman Klein voting no), the Council's and Commission's comments have been incorporated into the comments below in this letter.

Preferred Alternative(s)

The City of Mission Viejo supports the completion of the Foothill Transportation Corridor (SR 241) with the selection of a preferred alternative that completes the connection to Interstate 5 (I-5). We would recommend any one of these easterly alternatives including the Far East Corridor – Modified (FEC-M), Far East Corridor – West (FEC-W) or Alignment 7 Corridor – Far East Crossover – Modified (A7C-FEC-M). Any one of these three will provide the highway type of facility and logical connections for regional traffic and relief to the Interstate 5 (I-5). These alternatives are also consistent with the Regional Transportation Plan (RTP) supported by Southern California Association of Governments.

L5-1



We strongly oppose the proposed alternative to widen Interstate 5 (I-5), which perpetuates the existing pattern of regional traffic traversing our local arterial streets to reach the I-5 interchanges. Current traffic demands on the City of Mission Viejo's local streets are at or beyond the designed capacity. The communities (i.e. Rancho Santa Margarita, Las Flores, and Ladera) developed to the east of Mission Viejo were approved with the assumption of a future Foothill Transportation Corridor as shown on the Orange County Master Plan of Arterial Highways (MPAH). The widening of the Interstate 5 will also directly impact our community with physical impacts to the properties of adjacent residents/businesses as well as the other communities along the I-5 corridor.

L5-1

We further oppose the "Arterial Improvements Only" alternative and the other "Central Corridor – La Pata Variation, and "A-7 Avenida La Pata" alignments since they end at arterial streets instead of making a direct connection to other freeways or regional circulation systems. Again, it puts regional traffic on local streets impacting the communities. While the remaining "Central Corridor" alternative makes the logical connection to I-5, it appears to have a significant impact on the community of San Clemente.

Non-Compete Agreement with Caltrans

In lending our support for the completion of the Foothill Transportation Corridor – South, the City of Mission Viejo is requesting consideration of future project exemptions from the Non-Compete Agreement for improvements along Interstate 5 (I-5) that may provide the interim relief to local interchanges and related operational improvements. Since it is not the intent of the Transportation Corridor Agency to hold local residents hostage to poor regional traffic circulation only to benefit the toll roads, the continued efforts to eliminate "choke points" and improve the safe operation of the existing I-5 is essential to the continued balance needed in providing quality transportation in South Orange County. We would recommend that consideration be given to permit projects to proceed and be funded as identified. It is also our observation that the toll roads also do not eliminate the need for parallel facilities

L5-2

Comments regarding the EIR/SEIS

The City of Mission Viejo continues to raise the concerns about the lack of a commitment by the Transportation Corridor Agency (TCA) to design and environmentally clear the Crown Valley Interchange. There appears to be an obvious distancing of this interchange with special footnotes on exhibits and comments in the text that the Crown Valley Interchange will not be considered as a component of the Foothill Transportation Corridor – South (FTC-S) and that it simply will be left to "others" in the future.

We feel that this action and approach by the TCA is inconsistent with Crown Valley Parkway's planned extension as a major arterial per the Orange County Master Plan of Arterial Highways and the noted interchange. The TCA should be a proponent of the Crown Valley interchange and the completion of the Crown Valley extension, which provide an attractive and logical connection to the Foothill Transportation Corridor from the adjacent communities such as Coto de Caza, Las Flores and Ladera Ranch. These interchange and roadway connections were assumed in the traffic analysis for the future development scenarios (2020 and 2025) contained in the environmental clearances for these same communities. Las Flores is a completed community and Ladera Ranch is currently in the final stages of construction with approximately 7000 of the approved 8100 dwelling units completed. The environmental clearance of Antonio Parkway also indicated that its design would support the extension of Crown Valley Parkway. In addition, we

L5-3

feel there needs to be discussion of fire department and emergency access to and from the FTC-S, and we are especially concerned about this if there is no extension of Crown Valley Parkway.

Failure to design and provide environmental clearances that permits the acquisition/reservation of right-of-way with the mainline improvements of the FTC-S, places an unreasonable burden on Caltrans (ultimate owner operator) in the future development of this interchange.

Recommended Action:

The SOCTIIP Draft EIS/SEIR should be amended to include the environmental clearance of the Crown Valley Parkway interchange to permit the acquisition of right-of-way and design in coordination with the mainline improvements. We would further recommend that once the TCA has selected a final alternative that the details of all of the proposed interchanges including Crown Valley Parkway be included in the conceptual and final design of the Foothill Transportation Corridor – South. The final alternative should include a phasing plan for funding the initial phase, which should include the construction of the interchange and extension of Crown Valley Parkway at least between Antonio and the FTC to facilitate regional traffic and serve existing adjacent development. In addition, there needs to be discussion of fire department and emergency access to and from the FTC-S, especially as it relates to the extension of Crown Valley Parkway.

L5-3

In review of the SOCTIIP Draft EIS/SEIR, the City of Mission Viejo recognizes that the proposed development of Rancho Mission Viejo (Ranch) is planned with or without the proposed Foothill Transportation Corridor – South. As submitted in the recently released “The Ranch Plan Draft Program EIR #589” the project proposes arterial solutions to their traffic if the FTC-S is not constructed. As previously noted in our support for the FTC-S, the toll road/freeway facility is a preferred high speed, high capacity roadway facility to any proposed arterial roadway system that would fail to provide the regional circulation balance.

As discussed in the SOCTIIP Draft EIS/SEIR, the regional demands exist and are growing based on development and trends outside of the immediate South County proposed development. We also acknowledge that the analyses of the various proposals of the potential build out of the Ranch are important for planning purposes, which included three scenarios:

L5-4

Existing General Plan – 6,250 dwelling units

OCP-2000 – 21,000 dwelling units and approximately 3 million square feet of commercial/office

Ranch Plan - 14,000 dwelling units and 5.2 million square feet of commercial/office

Recommended Action

The City of Mission Viejo would like to clarify that their support of the completion of the FTC-S is not an endorsement of any Ranch Plan or their proposed local arterial circulation system. We will be making comments on various issues relating to the proposed Ranch Plan Draft Program EIR #589 independent of the SOCTIIP Draft EIS/SEIR. While the two projects are related, it is our comment that the FTC-S is needed based on regional existing and future traffic demands.

The SOCTIIP Draft EIS/SEIR provides interchange alternatives that show an interchange to North River Road, which is a “realigned” Ortega Highway ending at a “T” intersection with Antonio Parkway per the proposed Ranch Plan. Since this North River Road both diverts existing Ortega Highway traffic and fails to provide continuous connection to Interstate 5 and/or connect to the existing Ortega Highway (SR 74), the interchange no longer serves regional traffic without creating a serious impact to other local arterial streets including Crown Valley Parkway and Oso

L5-5

Parkway located in the City of Mission Viejo. We feel that the location of the interchange or the design of the North River Road need to be changed to provide direct regional circulation connections to Interstate 5 or as westerly reconnection to Ortega Highway continuing to Interstate 5.

Recommended Action

The SOCTIIP Draft EIS/SEIR needs to be modified to select an alternative that provide a logical connection to the existing Ortega Highway (SR 74) without diverting regional traffic to a poorly performing "T" intersection at Antonio Parkway. The traffic study needs to be modified to include an analysis of how much (the actual traffic volume not percentage) of the FTC-S traffic generated by the Ortega or North River Interchange might divert to local arterial streets and a list of mitigations.

L5-5

The FTC-S alternatives identify various versions of the proposed Ranch Plan connections. While we understand that every effort has been made to design the project with the best information available, the Ranch Plan is still subject to a separate approval by the Orange County Board of Supervisors per the *Draft Program Environmental Impact Report No. 589: The Ranch Plan General Plan Amendment/Zone Change (PA 01-114)*. The final approved plan may require adjustments to the final design of interchanges including the Crown Valley Parkway and Ortega Interchange as previously discussed.

L5-6

Recommended Action

The City of Mission Viejo would recommend that the SOCTIIP Draft EIS/SEIR provide a special note that the final right-of-way acquisition and design of the final FTC-S interchanges will be subject to potential modifications of the approved Ranch Plan.

The SOCTIIP Draft EIS/SEIR should provide a more detailed discussion of water quality and urban runoff issues associated with construction and maintenance of the FTC-S alternatives.

Recommended Action

The SOCTIIP Draft EIS/SEIR needs to more specific on identifying the Best Management Practices (BMP's) that will be used on site to control predictable pollutant runoff. The plan shall identify the types of structural and non-structural measures to be used. The plan shall comply with the Orange County Drainage Area Management Plan. The water quality management plan shall clearly show the locations of structural BMP's, and assignment of long term maintenance responsibilities.

L5-7

Again, the City of Mission Viejo appreciates the opportunity to comment on the SOCTIIP Draft EIS/SEIR and provide our support for the selection of one of the easterly alternatives including the Far East Corridor – Modified (FEC-M), Far East Corridor – West (FEC-W) or Alignment 7 Corridor – Far East Crossover – Modified (A7C-FEC-M) as the preferred alternative.


L5-8

Sincerely,

City Council of the City of Mission Viejo


Mayor Gail Reavis

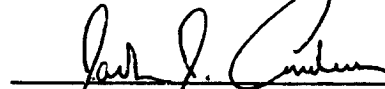

Vice Mayor Trish Kelly


Council Member William Craycraft


Council Member John Paul Ledesma

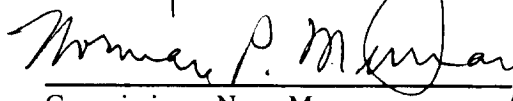

Council Member Lance MacLean

Planning & Transportation Commission


Chairman Jack Anderson

Vice Chairman Bo Klein


Commissioner Mary Binning


Commissioner Norm Murray

cc: City Council
Planning and Transportation Commission
Dennis Wilberg, City Manager
Peter Thorson, City Attorney
Dave Snow, Assistant City Attorney
Charles Wilson, Director of Community Development
Loren Anderson, Director of Public Works
Shirley Land, Transportation Manager
Gail Shiimoto-Loehr, GSL Associates

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TRANSPORTATION
CORRIDOR AGENCIES

Public Works / Engineering

City of Tustin

300 Centennial Way
Tustin, CA 92780-3715
(714) 573-3150
FAX (714) 734-8991

August 5, 2004

Ms. Macie Cleary-Milan, Deputy Director
Transportation Corridor Agencies (TCA)
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

SUBJECT: Comments on the Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR) for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) (P.W. File No. 629.95)

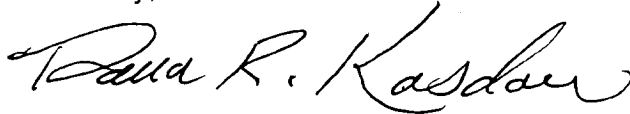
Dear Ms. Cleary-Milan:

The City of Tustin Public Works and Community Development Departments have completed review of the Draft Environmental Impact Statement/Subsequent Environmental Impact Report (EIS/SEIR) for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP). The report was prepared for the Transportation Corridor Agencies (TCA), in cooperation with the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans). The following comments summarize our review:

1. Some of the SOCTIIP project Alternatives provide extension of the State Route SR-241 toll road to connect with Interstate (I-5). If this connection is made, there must be assurances that other existing portions of the SR-241 are improved as necessary to maintain acceptable operations in conjunction with the proposed project. L6-1
2. There are "I-5 Widening" and "Arterial Improvements Only" Alternatives. These options do not provide a "bypass" for the traffic oriented to/from north Orange County. Therefore, if these Alternatives are selected there should be funding for arterial/I-5 Freeway improvements north of the study area, as needed to address any impacted locations. The lack of a "bypass" alternative (i.e., the toll road extension) may increase future traffic demands in the City of Tustin. L6-2

Thank you for the opportunity to review and comment on these materials. Please contact Terry Lutz of my staff at (714) 573-3263 if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Dana R. Kasdan". The signature is fluid and cursive, with the first name "Dana" and last name "Kasdan" clearly legible.

Dana R. Kasdan
Engineering Services Manager

C: William A. Huston
Tim D. Serlet
Elizabeth A. Binsack
Scott Reekstin
Doug Anderson
Terry Lutz
Steve Sasaki



REC'D AUG 05 2004

Office of Mayor and City Councilmembers

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 Joe Anderson, *Mayor Pro Tem*
 Jim Dahl, *Councilmember*
 Stephanie Dorey, *Councilmember*
 G. Wayne Eggleston, *Councilmember*

George Scarborough, *City Manager*

Macie Cleary-Milan
 Foothill/Eastern Transportation Corridor Agencies
 125 Pacifica, Suite 100
 Irvine, CA 92618

Re: Review comments on the Draft EIS/SEIR and Draft Section 4(f) Evaluation for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP)

Dear Ms. Cleary-Milan:

The City of San Clemente appreciates the opportunity to review the above referenced document. Due to the City of San Clemente's location along the proposed alignments, the SOCTIIP project has the potential to significantly impact San Clemente residents and businesses. In anticipation of the possible construction of the Foothill-South Corridor and in order to minimize the potential for negative impacts, the City of San Clemente General Plan, which was adopted in 1993, addresses the possible alignments of the Corridor. Any Foothill-South Corridor alignment that traverses our community and/or does not provide a direct connection to the existing I-5 Freeway, including the A7C-ALPV, CC, CC-ALPV, AIO, and I-5 Alternatives is implicitly inconsistent with the City's General Plan, will have direct significant impacts on the community and will be aggressively opposed.

L7-1

The City Council will be adopting formal policy positions on other aspects of the Foothill-South Extension following the close of the public comment period. Once the formal policy position is adopted, we will forward those positions to the TCA.

Thank you for your thoughtful consideration of the attached comments.

Sincerely,
 CITY OF SAN CLEMENTE

Susan Ritschel
 Mayor



City of San Clemente Planning Division

George Buell, City Planner

Phone: (949) 361-6185 Fax: (949) 366-4750

BuellG@San-Clemente.org

August 5, 2004

Macie Cleary-Milan
Foothill/Eastern Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618

Re: Review comments on the Draft EIS/SEIR and Draft Section 4(f) Evaluation for the South Orange County Transportation Infrastructure Improvement Project (SOCTIIP).

Dear Ms. Cleary-Milan:

The City of San Clemente appreciates the opportunity to review the above referenced document and offers the following comments. Due to the City of San Clemente's location along the proposed alignments, the SOCTIIP project has the potential to significantly impact San Clemente residents and businesses. Please note that we are restating the City's consistent opposition to any alignments that traverse our community and/or do not provide a direct connection to the existing I-5 Freeway, including the A7C-ALPV, CC, CC-ALPV, AIO, and I-5 Alternatives. The comments contained herein reflect the City's concerns as they relate to the proposed project.

Project Alternatives

- As further discussed below, many of the alternatives analyzed on the Draft EIS/SEIR result in significant environmental impacts to the City of San Clemente including the Alignment 7 Corridor – Avenida La Pata Variation (A7C-ALPV), Central Corridor (CC), Central Corridor – Avenida La Pata Variation (CC-ALPV), Arterial Improvements (AIO), and the I-5 Widening (I-5). These alternatives result in significant air quality, noise, and traffic impacts to the City of San Clemente. In addition, with the exception of the CC-ALPV Alternative, these alternatives significantly impact numerous homes and businesses within the City of San Clemente. As a result, the City of San Clemente requests that these alternatives be rejected from further consideration, for the reasons stated below.

L7-2

- In reviewing the EIS/SEIR, it is not clear why the three eastern alignments traverse the Donna O'Neill Land Conservancy. The EIS/SEIR needs to explain the justification for traversing the Donna O'Neill Land Conservancy. L7-3

Traffic and Circulation - Section 3

- The City's General Plan Circulation Element Policy 4.6.1 supports the construction of the most preferable alignment, previously referred to as the "Modified C" alignment (currently best represented by the Far East Corridor-Modified (FEC-M) of the Foothill Transportation Corridor (FTC) and the Avenida Talega and Avenida Pico interchanges). All central and western alignments are inconsistent with the City's adopted Circulation Element. The EIS/SEIR needs to include an analysis of each alignment's consistency with the City of San Clemente's adopted Circulation Element. L7-4
- All other alternatives are inconsistent with the City's General Plan, create devastating community impacts in several categories, and cannot be supported. In fact, all other alternatives will be aggressively opposed due to their direct significant impacts and the fact that feasible alternatives (all far east alignments) are available that avoid all direct community impacts. L7-5
- The "short" alternatives, ending in the vicinity of Avenida La Pata or Avenida Pico in San Clemente, have extraordinary negative traffic and circulation impacts to the surrounding community without significantly relieving traffic congestion on I-5, and therefore these alternatives are not supported and should be dropped from further evaluation. L7-6
- A commitment to fully landscape the medians and outside shoulders with the initial corridor construction is an important attribute, since the corridor serves as a prominent entry to the City of San Clemente. Landscaping should include trees and should comply with the scenic corridor design standards of arterials located within San Clemente. L7-7
- The far east alignments from Talega to the I-5 connection closely approach existing residential communities. It is requested that throughout this section of the corridor consideration be given to depressing the facility below grade to improve aesthetic and view impacts as well as noise reduction. L7-8
- There appears to be very limited capacity improvements to I-5 at the connection of the far east alternatives. We are concerned that southbound traffic on I-5 will back up into San Clemente if sufficient capacity improvements are not provided for I-5 south of this new confluence. It is requested that more detailed evaluation of this confluence be conducted with some consideration of peak travel seasons. These peak conditions occur with regular frequency and exceed 30 days per year. L7-9

Therefore, these peak conditions can be established as the formal “design criteria” (i.e., the thirtieth highest hour).

L7-9

- The initial construction cross section in the vicinity of San Clemente, providing four travel times, appears to be adequate for long-range (2025) traffic demand. A maximum cross section, incorporating six lanes plus HOV lanes, is also considered. The City does not support the wider cross section at this time since it provides more capacity than necessary. The required cross section for any future needs should be the subject of subsequent environmental review.

L7-10

Land Use - Section 4.2

- The FEC-M, FEC-W, and A7C-FEC-M Alternatives will adversely impact residents along the east side of Rolling Hills PC and to a lesser extent residents along the west side of the Orange county line. These impacts will include noise, visual blight and vibrations. This could result in a depreciation in property values, sleep deprivation, and unappealing views to the east. The EIS/SEIR should evaluate other design alternatives such as reducing the cross-section of this alternative in width and depressed, where possible, to reduce the impacts mentioned above. The ultimate width of a typical corridor cross-section is 156 feet; the initial cross-section width is planned for 88 feet. Maintaining the corridor width at a maximum 88 feet or reducing it further by narrowing the median would mitigate some of the land use impacts mentioned above. Furthermore, proper landscaping within the right-of-way of the Alternatives consistent with the City’s scenic corridor design standards of arterials could serve to “soften” and “screen” the roadway improvements.

L7-11

- The CC Alternative will physically and visually divide the community of San Clemente by constructing a roadway swath through the middle of the community that is situated north of I-5. In addition to uprooting existing residences and businesses and schools, the CC alignment would permanently scar the open space slopes of the Marblehead Inland PC. Furthermore, the significant expansion of the I-5/Pico interchange will serve as a visual and physical barrier between the ocean-side and mountain-sides of San Clemente. This will preclude easy pedestrian and bikepath movements from one side of I-5 to the other. As a result, the City of San Clemente is opposed to this Alternative recommends that it be eliminated from further consideration.

L7-12

The CC Alternative will also have an adverse impact on employment and the fiscal well-being of San Clemente. Reductions in property, sales and bed taxes would be experienced by the City with the construction of this alternative. The City would also experience an adverse impact on the quality of life of experienced by existing residential neighborhoods in that 602 housing units would be displaced most of which are located in San Clemente. As a result, the City of San

L7-13

- Clemente is opposed to this Alternative and recommends that it be eliminated from further consideration. ~ L7-13
- The CC-ALPV Alternative will physically and visually divide the Talega PC from the Forster and Marblehead Inland PCs. The construction of this alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the “connectivity” among the PCs mentioned above. These paralleling roadways will have an adverse impact on the cohesion of the community in that they will preclude efficient east/west movement from one side of these paralleling roadways to the other. As a result, the City of San Clemente is opposed to this Alternative and recommends that it be eliminated from further consideration. L7-14
 - The A7C-ALVP Alternative will physically and visually divide neighborhoods in the Talega PC. The construction of this alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the “connectivity” between the Talega PC and the Forster and Marblehead Inland PCs. These paralleling roadways will have an adverse impact on the long-term quality of life of residents living between these two roadways. The visual disruption and increased noise levels will make the livability of the neighborhoods located between these two roadways less appealing. The cohesion of San Clemente will be adversely disrupted because the two roadways will preclude efficient east/west movement from one side of these paralleling roadways to the other. As a result, the City of San Clemente is opposed to this Alternative and recommends that it be eliminated from further consideration. L7-15
 - The AIO Alternative will physically and visually divide neighborhoods in the Talega PC from the Forster and Marblehead Inland PCs. The segment of the AIO Alternative that is located in San Clemente has already been constructed, from the Orange County line to Hermosa. The appearance and alignment of this Alternative has been designed by San Clemente so that its impact on adjacent residents, businesses and other land uses has been minimized. Design features focused on by the City included landscaping, grading, signage, and intersection controls. As a result, the City of San Clemente is opposed to this Alternative and recommends that it be eliminated from further consideration. L7-16
 - The I-5 Alternative will affect the entire length of I-5 corridor inside San Clemente. This Alternative results in a significant displacement of residents and businesses along this route. As a result, the City of San Clemente is opposed to this Alternative recommends that it be eliminated from further consideration. L7-17

Noise - Section 4.6

- The noise impacts associated with the FEC-M, FEC-W, and A7C-FEC-M Alternatives will be mitigated through the construction of sound walls. These L7-18

- Alternatives have few impacts on the noise environment as compared to the other build Alternatives, and would be preferable to any of the other build Alternatives. However, it should be noted that more noise mitigation would be required for the FEC-W, and A7C-FEC-M Alternatives since they are located in close proximity to the Talega community. L7-18
- The CC Alternative will adversely affect noise sensitive land uses along its proposed route. Most of the adverse impacts will occur along the I-5 alignment where additional right-of-way acquisition is required. While the EIS/SEIR concludes that the construction of sound barriers (e.g. walls or berms), will mitigate the impact of highway-related noise, the City has concluded that 23 noise-impacted sites can not be effectively mitigated with sound barriers due to other extenuating conditions, including topography, the presence of intersecting driveways and streets, and aesthetics. L7-19
 - Since the A7C-ALPV, CC-ALPV, and AIO Alternatives do not provide a direct connection to the I-5 Freeway, a significant amount of additional vehicular and truck traffic will be forced onto Avenida Pico and Avenida La Plata through existing residential neighborhoods. This will significantly increase associated noise volumes within these neighborhoods. As a result, the City of San Clemente is opposed to these Alternatives and recommends that they be eliminated from further consideration. L7-20
 - The I-5 Alternative will adversely impact the entire length of I-5 corridor inside San Clemente. This Alternative poses a significant noise impact, especially for residents and persons staying in motel rooms along the corridor. While sound barriers can be constructed to attenuate the unwanted sound, the noise emanating from this substantially widened freeway may be too much for noise sensitive land uses along this route. L7-21
 - No details are provided regarding the type of mitigation required to maintain the City's outdoor and indoor noise standards for areas located adjacent to the proposed alignments. The central and western alignments will produce significant noise impacts on existing San Clemente residents and businesses. The EIS/SEIR needs to discuss the feasibility of maintaining the City's outdoor and indoor noise standards for the homes and businesses located adjacent to the proposed alignments but would not be displaced. L7-22
 - The EIS/SEIR needs to discuss the proposed noise wall heights necessary to maintain the City's outdoor and indoor noise standards within the Talega community located adjacent to the three proposed eastern alignments. L7-23

Air Quality - Section 4.7

- It is not clear why the air quality analysis analyzes a 21,000 DU Alternative for Rancho Mission Viejo (RMV) when the current proposal is for 14,000 Dus. It is recommended that this discussion be deleted from the EIS/SEIR since a 21,000 DU Alternative is no longer be pursued by Rancho Mission Viejo. L7-24
- On Page 4.7-17, the EIS/SEIR states that CALINE4 modeling was assessed for the worst case intersections for the opening (2008) year and for the 2018 (10 year increment). However, this conflicts with the statement on Page 4.7-12, which states that “intersections with high traffic volumes and high demand to capacity ratios in 2025 were selected for analysis.” In addition, the majority of the CO Tables (Tables 4.7-41 through 4.7-55) do not show the results for the 2008 or 2018 model year. This is particularly important since the I-5/Avenida Pico intersection already exceeds the State CO standard of 9.0. Many of the alternatives, including the Central Corridor Alternatives, Arterial Improvements Alternative, Alignment 7 Corridor Alternative, and I-5 Widening Alternative, have the potential to add significant amounts of traffic and congestion to San Clemente arterials. Many of these streets are already congested. The environmental analysis fails to provide a 2008 and 2018 model run, at which time vehicular emissions will be higher. As a result, there is a substantial possibility the Alternatives mentioned above will result in CO hotspots at San Clemente intersections. Therefore, the EIS/SEIR needs to be revised so that the projected CO levels are shown for all analysis years (i.e., existing, 2008, 2018 and 2025) and all build and no-build alternatives. L7-25
- The EIS/SEIR fails to provide assumptions regarding the hauling of debris for alternatives which impact existing homes and businesses. The EIS/SEIR needs to state where the debris will likely be hauled for disposal and the emissions associated with the truck trips should be included in the analysis. L7-26
- On Page 4.7-19, the EIS/SEIR states that PM10 emissions are “minor” compared to the amount of particulate matter currently released in the whole SCAB. However, it is misleading to compare the emissions to the entire SCAB. Fugitive dust emissions will result in localized impacts, including impacts to San Clemente residents. Therefore, a comparison should be made to the amount PM10 generated in South Orange County, before they are classified as “minor.” L7-27
- Measure AQ-7 appears to be related to construction impacts though it is listed under “Mitigation Measures for Long Term Impacts.” L7-28
- Although Operational Impacts related to CO and NOx were identified as Significant, no mitigation measures are included to address long-term, operational impacts. The EIS/SEIR should give consideration to including mitigation measures for operational impacts including incorporation of HOV lanes, provision of park and ride facilities, etc. L7-29

Floodplains, Waterways, and Hydrologic Systems - Section 4.8

- Extended Detention Basins (EDB's) have been incorporated into the design to serve as both water quality and detention facilities to accept peak runoff above the existing conditions for a variety of storm frequency events. The EDB's will be sized to retain runoff of the appropriate size to intercept the peak flow up to and including the 25-year storm (and first flush storms). In addition, the roadway's drainage system will include the use of a v-notched orifice control for a diversion pipe to deliver flows to the EDB's to simulate existing conditions for a variety of storm events (1-yr, 2-yr and 25-yr) to minimize downstream flow velocities and potential scour and erosion. • Runoff from the newly created slopes will be considered in the sizing and design of the EDB's.

L7-30

It appears that the hydrology project design features are adequate in protecting downstream impacts from the increased runoff upon implementation of the orifice controlled diversion pipes and outlet structure design of the EDB's. However, the EIS/SEIR should note that rigorous maintenance will be required upon the part of Caltrans in order to keep the orifices from clogging up and functioning as intended.

Water Quality - Section 4.9

- The greatest impact concerns for the proposed extension of the 241 Tollroad for water quality include the potential increase of roadway pollutants such as oil and greases, hydrocarbons, heavy metals and sediment from the impervious surfaces. The City of San Clemente is concerned that potential roadway pollutants may impact San Clemente streams and beaches.
- The use of basins such as the proposed EDB's are subject to clogging and ponding water, thereby increasing the potential for vector control issues. Strict and rigorous monitoring should be applied to these basins to ensure ponding water drains from the basins within 36 hours.
- The EIS/SEIR makes no mention of using vegetation or plant palletes within the EDB's to increase the effectiveness of the water quality function. This should be clarified and discussed in more detail in the EIS/SEIR.
- The use of bioswales and filter strips should be considered for slopes up to 5%. The use of these types of BMPs have proven effective around the County and unlike EDB's, these BMPs have a significantly less risk of vector issues due to moving water. Check dams can be incorporated into the design to control the velocity of flows moving through the swales and filters.

L7-31

L7-32

L7-33

L7-34

Coastal Zone - Section 4.15

- The EIS/SEIR should analyze the environmental impacts of the alternative road alignments that lie within the coastal zone. In addition, the Coastal Zone Management Act of 1972 and the California Coastal Act of 1976 provide the framework for the analysis of the coastal zone and should be addressed in greater depth as part of the introduction to this section. The discussion of the impacts of the various road alignments to the coastal zone within the context of the regulatory framework would make this a much stronger analysis. Furthermore, this analysis should be conducted in a comparative context, first describing the baseline condition of the coastal zone impacted by the project. Without analysis of the current condition, it is difficult to understand the significance of the impacts of the alternative road alignments. L7-35
- Impacts to recreation in the coastal zone should be included in the analysis in this section of the document. L7-36
- The Coastal Zone Management Act of 1972 states that cumulative impacts of coastal development on wetlands and fishery resources must be considered. The coastal zone section of the EIR contains no analysis of the potential impacts on coastal zone wetlands or impacts in coastal areas, including San Clemente State Beach, San Onofre State Beach and the San Mateo Campground. The EIS/SEIR must provide a complete analysis of the project's consistency with the Coastal Zone Management Act, rather than just referring the reader to other sections of the document. L7-37
- The EIS/SEIR states that mitigation measures that apply to impacts in the Coastal Zone are provided in the following sections 4.10 Wetlands and Water Quality, 4.12 Threatened and Endangered Species, 4.16 Historic and Archaeological Resources, 4.23 Paleontological Resources, and 4.18 Visual Resources. However, these mitigation measures do not directly address the potential cumulative and indirect impacts to the coastal zone. Additional analysis of the mitigation measures' appropriateness as they apply in the coastal zone is needed, particularly regarding water quality, since the coastal zone is the endpoint for all water pollution not captured by Extended Detention Basins (EDBs). The analysis should be placed in a comparative context, demonstrating the percent change in sediment and peak flows of the various alignments in the coastal zone. The Coastal Zone section would also be the appropriate location for mention of the potential downstream effects of the various stream crossings of the various alignments. L7-38

- Mitigation Measures: The rationale in the EIS/SEIR for deletion of Mitigation Measure 59, which states that all requirements of the Coastal Zone Management Act shall be met, should be explained and supported more fully. | L7-39
- In the absence of specific thresholds (the impact section only states that a federal consistency certification will be conducted), the analysis of impacts to the coastal zone should describe whether the area would be significantly affected and how that determination is made. | L7-40
- It is very difficult to determine the specific impacts to the City of San Clemente's coastal zone without the more complete analysis that is needed, as stated above. However, it can be concluded that the western alignments (Central Corridor and the I-5 Widening in particular) would have the greatest impacts to the coastal zone. However, the impacts of the eastern alignments (Far East Corridor-Modified, Far East Corridor-West and Alignment 7 Corridor-Far East Crossover) on the San Onofre State Beach are not clear and should be analyzed in greater depth. | L7-41

Historic and Archeological Resources - Section 4.16

- There are eight properties in the study area that are on the City of San Clemente's Designated Historic Structures List. Of these, the Oscar Easley Block is currently listed on the National Register of Historic Places (NRHP). One other structure, the Cotton Estate Gate, has previously been identified as potentially eligible for NRHP listing. All eight properties contribute to the City-designated "Spanish Village by the Sea" historic district. The thematic district, comprising 208 Spanish-style buildings and structures associated with the community's early development, was evaluated as eligible to the NRHP in 1995.
- Ten Areas of Sensitivity for Historical Resources (ASHR) were identified in the study area. These areas have a concentration of development 45 years and older and may have structures eligible for NRHP or CRHP listing.
- As identified in the EIR, the I-5 Alternative has the greatest number of impacts to historic resources (12 designated and 10 AHSRs). Next, the Central Corridor-Complete Alternative has the greatest number of impacts to historic resources (8 designated and 6 ASHRs). The Far East Corridor-Modified Alternative and the Far East Corridor-West Alternative each impact part of one ASHR (ASHR 10, the area of the "South San Clemente" subdivision, developed immediately after the departure of city founding father Ole Hanson and the end of the Spanish Village era during the late 1930's and 1940's). The remaining alternatives, Alignment 7 Corridor-Avenida La Pata Variation, Alignment 7 Corridor-Far East Crossover-Modified and the Arterial Improvements have no identified historical properties in the study area. Therefore, the greatest impacts to historical resources are from the two alternatives that cross the greatest swath of the City of San Clemente: the I-5 | L7-42

widening alternative and the Central Corridor Alternative. As a result, these Alternatives should be eliminated from further consideration.

L7-42

Visual Resources - Section 4.18

- The CC Alternative will physically and visually divide the community of San Clemente by constructing a roadway swath through the middle of the community that is situated north of I-5 (see Figures 4.18-19 and 4.18-20). The CC alignment would permanently alter the open space slopes of the Marblehead Inland PC for residents looking northwest from lots south of Pico and east of I-5. Furthermore, the significant expansion of the I-5/Pico interchange will serve as a visual and physical barrier between the ocean-side and mountain-sides of San Clemente. This visual feature will permanently dominate the San Clemente skyline as one travels north on I-5 or east or west along Avenida Pico. As a result, this Alternative should be eliminated from further consideration. L7-43
- The CC-ALPV Alternative will physically and visually divide the Talega PC from the Forster and Marblehead Inland PCs (see Figure 4.18-33). The construction of this alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the views of persons living in these PCs. These paralleling roadways will have an adverse impact on the visual cohesion of the community in that they will erect visual barriers between the PCs, including improvements such as sound walls, cut and fill, and off ramps. As a result, this Alternative should be eliminated from further consideration. L7-44
- The A7C-ALVP Alternative will physically and visually divide neighborhoods in the Talega PC (see Figure 4.18-16). The construction of this alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the visual cohesion between the Talega PC and the Forster and Marblehead Inland PCs. These paralleling roadways will have an adverse impact on the long-term views of residents living between and adjacent to these two roadways. As a result, this Alternative should be eliminated from further consideration. L7-45
- The AIO Alternative will visually divide neighborhoods in the Talega PC from the Forster and Marblehead Inland PCs. The segment of the AIO Alternative that is located in San Clemente has already been constructed, from the Orange County line to Hermosa. The appearance and alignment of this Alternative has been designed by San Clemente so that its impact on adjacent residents, businesses and other land uses is minimized. Design features focused on by the city included landscaping, grading, signage, and intersection controls. As a result, this Alternative should be eliminated from further consideration. L7-46
- An alternative to the AIO Alternative would be the extension of this route south from the intersection of Avenida Pico and Avenida La Pata. This alternative route L7-47

would extend the AIO Alternative southeast along Avenida La Pata and then due south along the same alignment proposed by the FEC-M, FEC-W and A7C-FEC-M Alternatives and connecting to I-5. This southern segment of the alternative could be reduced in width and depressed in order to minimize its visual impact on San Clemente residents living along the Orange County line. The feasibility of this alternative should be discussed in the EIS/SEIR.

L7-47

- All three eastern alignments require construction of a fly-over interchange where the SR-241 would join the I-5. As the southern gateway to the City of San Clemente, this fly-over interchange would have a significant visual impact to the City. Unless the three eastern alternatives are landscaped in a manner consistent with San Clemente's scenic corridor design standards, the eastern alignments will appear as a scar at the entrance of our community rather than as a scenic parkway.
- A mitigation measure should be added that requires landscaping consistent with the City of San Clemente's scenic corridor design standards for all portions of the SR-241 located in or adjacent to the City of San Clemente.

L7-48

L7-49

Public Services and Utilities - Section 4.24

- The FEC-M, FEC-W, and A7C-FEC-M Alternatives will have a lesser impact on public services and utilities than other build Alternatives because they avoid impacts to existing utilities as a result of their easterly alignment.
- The CC Alternative will physically divide the community of San Clemente by constructing a roadway through that portion of the community that is situated located north and east of I-5. This will reduce response times for emergency vehicles as well as adversely impacting various public services, including the acquisition of a portion of two schools, a post office and a landfill. As a result, this Alternative should be eliminated from further consideration.
- The CC-ALPV Alternative will physically divide the Talega PC from the Forster and Marblehead Inland PCs. The construction of this alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the "connectivity" among these PCs thereby potentially impacting the response times of emergency vehicles having to travel from one side of these roadways to the other. As a result, this Alternative should be eliminated from further consideration.
- The A7C-ALVP Alternative will physically divide neighborhoods in the Talega PC. The construction of this Alternative along with the existence of the Antonio Parkway/La Pata Avenue/Avenida La Pata arterial will disrupt the "connectivity" between the Talega PC and the Forster and Marblehead Inland PCs. These roadway alignments could increase the response times of emergency services (law

L7-50

L7-51

L7-52

enforcement, medical and fire). As a result, this Alternative should be eliminated from further consideration.

L7-52

- The AIO Alternative will physically divide neighborhoods in the Talega PC from the Forster and Marblehead Inland PCs. In addition, this alternative will significantly increase traffic on San Clemente arterials, thereby reducing response times. As a result, this Alternative should be eliminated from further consideration.
- The I-5 Alternative will affect the entire length of I-5 corridor inside San Clemente. This Alternative fosters a significant displacement of the public facilities and services listed above.

L7-53

Recreation Resources - Section 4.25

- The CC Alternative will permanently impact San Clemente High School, Ole Hansen Elementary School and San Clemente State Beach, SOSB Christianitos Subunit 1, by causing land within these sites to be acquired for roadway purposes. As a result, this Alternative should be eliminated from further consideration.
- The CC-ALPV Alternative will adversely impact the proposed Prima Dechecha Regional Park by fragmenting the facility by overcovering a substantial portion of the proposed park. As a result, this Alternative should be eliminated from further consideration.

L7-54

L7-55

Cumulative Impacts - Section 5

- The Draft EIS/SEIR contains no discussion of the assumptions regarding the cumulative impact analysis. Per the CEQA Guidelines, an EIR may use a list or projections approach. The EIS/SEIR should be revised as necessary to provide a basis for the cumulative analysis contained in the document.

L7-56

Growth Inducing Impacts - Section 6

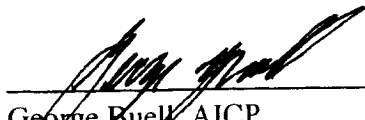
- The majority of the central and western alignments will result in the demolition of various homes and businesses within the City of San Clemente. The displaced residents and businesses will most likely attempt to relocate in or near the City of San Clemente. This will result in significantly increase growth pressures on existing undeveloped lands in and around San Clemente. The EIS/SEIR fails to adequately address the significant growth inducing impacts associated with the central and western alignments which displace numerous homes and businesses.

L7-57

Thank you for the opportunity to review and comment on the Draft EIS/SEIR for the SOCTIIP. Again, we would like to state the City's consistent opposition to any alignments that traverse our community and/or do not provide a direct connection to the existing I-5 Freeway, including the A7C-ALPV, CC, CC-ALPV, AIO, and I-5 Alternatives. In addition, our opposition to the central and western alignments should not be construed in any way that we are supportive of any other alignment. Please let us know if you would like to arrange a meeting so that we may discuss our concerns in more detail.

L7-58

Sincerely,
CITY OF SAN CLEMENTE



George Buell, AICP
City Planner



CITY OF RANCHO SANTA MARGARITA

Mayor

Neil C. Blais

Mayor Pro Tempore

Jerry Holloway

Council Members

L. Anthony Beall

Gary Thompson

James M. Thor

City Manager

D. James Hart, Ph.D.

August 5, 2004

Ms. Macie Cleary-Milan
Deputy Director, Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

RE: Comments on the Draft Environmental Impact Statement (EIS) for Foothill-South (SR-241) Extension Project

Dear Ms. Cleary-Milan:

Thank you for the opportunity to review and comment on the Draft EIS for the proposed Foothill-South extension. The proposed project would extend SR-241 south of the City boundary.

Based on the City's review of the EIS, the City prefers Alternatives A7C-FEC-M, FEC-W or FEC-M extending the SR-241, in an easterly alignment, to, generally, the Orange County/San Diego County border. This alternative would best serve the City of RSM and meet the regional transportation needs of the South County.

L8-1

The alignment, collectively, provide the best: 1) system-wide travel timesavings; 2) arterial congestion relief; and 3) point to point travel timesavings. In addition, it would result in the fewest deficiencies per weekday peak hour conditions upon implementation.

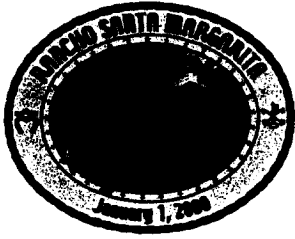
Thank you once again for the opportunity to respond to the Draft EIS. Please forward a copy of the Final EIS and a written response to this letter when it becomes available. In addition, the City would like to receive a copy of any public information and to be informed of any public meetings or hearings related to this project.

Sincerely,



Kathleen Haton
Planning Director

cc: D. James Hart, Ph.D., City Manager



SR-241 Extension EIS
August 5, 2004
Page 2

George Wentz, Assistant City Manager
Tom Wheeler, City Engineer

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MEMBERS OF THE CITY COUNCIL

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August 6, 2004

Office of the Mayor

Mr. Ken Ryan, Chairman
 Foothill/Eastern Transportation Corridor Agency
 125 Pacifica, Suite 120
 Irvine, CA 92618

RE: Comments on the Foothill Transportation Corridor South Draft EIS/SEIR

Dear Chairman Ryan and Honorable Board Members:

The City of San Juan Capistrano appreciates the opportunity to offer comments to your Board regarding the Draft EIS/SEIR. As a TCA member City, we understand the magnitude of this project and hope that these comments will be helpful to the TCA in making a final decision regarding the proposed extension of the Foothill Corridor.

Transportation Issues

1. The City's General Plan Circulation Element Policy 5.1 supports the implementation of the FTC-South and specifically the old CP alignment, which would now correspond to any of the three Far East alternatives (FEC-M, FEC-W, and A7C-FEC-M).
2. The City's adopted Strategic Transportation Plan (September 2002) supports and advocates the FTC-South extension to I-5 (south of San Clemente) as a single phase project. This project accomplishes the primary objective of the Strategic Plan to implement transportation strategies that divert through traffic from the community.
3. All issues raised by the Cinco Cities group in the letter dated September 10, 2003, are again reinforced with these formal comments on the EIR/EIS.
4. The Cinco Cities group conducted a thorough review and evaluation of the technical approach and methodology applied in the traffic impact analysis over a several-month process incorporating six workshops. While the group concluded that the traffic model represented the "state of the art" for analysis purposes, the model does not always reflect actual driver behavior, especially during periods of high congestion. This conclusion suggests that the potential benefits of the FTC-South are generally underreported in the traffic reports and on the same front the negative impacts will also be greater than reported.

L9-1

L9-2

5. The traffic analysis does not fully reflect the severity of existing and future traffic congestion on I-5, especially during the peak period. | L9-3
6. Future peak-hour ICU analysis does not reflect severity of congestion that would occur at interchanges and on the I-5. | L9-4
7. The use of average workday traffic in the analysis, in lieu of peak-hour statistics, understates the benefits of the FTC-South. | L9-5
8. The congestion analysis of I-5 that is presented in the SOCTIIP traffic report may not fully reflect the levels of congestion caused by high levels of truck traffic. | L9-6
9. The FTC-South would provide an important alternate regional route for emergency access in the southern Orange County area. | L9-7
10. The "short" alternatives, ending in the vicinity of Avenida La Plata or Avenida Pico in San Clemente, have extraordinarily negative traffic and circulation impacts to the surrounding communities without significantly relieving traffic congestion on I-5, and therefore these alternatives are not supported and should be dropped from further evaluation. | L9-8

Other Issues

11. Noise and Aesthetic Impacts to Ortega Highway. The EIS/SEIR noise analysis does not include any locations adjacent to Ortega Highway except for San Juan Elementary School, which is west of I-5 and 1 block north of Ortega. There is extensive residential development along Ortega Highway between I-5 and the eastern city boundary. In order to understand the noise impacts generated by future Corridor-related traffic increases on Ortega, the EIS should include noise analysis locations along the section of Ortega Highway between I-5 and the City boundary. In addition, if the corridor contributes to the need for widening Ortega Highway, the corresponding aesthetic impacts to this scenic highway should be evaluated. | L9-9
12. Noise and Aesthetic Impacts from the Westerly Alignment Alternatives. The most westerly corridor alignment alternatives (CC and CC-ALPV) would cross Ortega Highway and San Juan Creek and rise in elevation along La Pata and the City's eastern boundary. Due to the elevation of the bridge crossings over the San Juan Creek and Ortega Highway and the rising elevation south of the creek in this location, major grading cuts and the new roadway would be visible from San Juan Capistrano. This visual impact should be addressed in the EIS. In addition, the noise impacts from these corridor alignments on hundreds of homes in the valley along Ortega Highway could be substantial due to the close proximity and elevation of these alignments. The noise analysis includes only one monitoring station in this vicinity at Paseo Ranchero. It appears that additional analysis is needed to determine the noise impacts that would result from the westerly alignment alternatives to residences in the eastern portion of San Juan Capistrano. | L9-10
| L9-11

13. Growth-Inducing Impacts.

The EIS indicates that the Corridor could facilitate commercial and industrial development along the Corridor route and higher density commercial retail and office development in the immediate vicinity of interchanges, including Ortega Highway (p. 6-16). Considering that the Central Corridor (CC) alignments and Arterial Improvements Only (AIO) alternative would place new or expanded highways immediately adjacent to the City of San Juan Capistrano's eastern boundary, the City is very concerned about the growth inducing impacts of these alignments.

L9-12

a. Physical Impacts. The closer that new large-scale regional commercial development in Rancho Mission Viejo occurs to the City, the more likely City residents would be to patronize those businesses and the greater would be the expected impacts in the areas of noise, air quality, aesthetics and increased traffic on Ortega Highway.

b. Economic Impacts. New large-scale commercial development close to the City boundary would have a negative impact on the viability of City businesses by drawing shoppers to new establishments that would be expected to locate near the new interchanges such as at Ortega Highway and the corridor.

L9-13

c. Fiscal Impacts. The shift in shopping patterns noted in a. and b. would be expected to adversely affect City revenues due to sales tax "leakage" and have the effect of shifting property and sales tax base out of the City, which could impair the City's ability to provide needed public services and maintain its existing environmental quality.


L9-14

Each of these issues should be evaluated more thoroughly in the appropriate sections of the EIS.

L9-15

We appreciate the opportunity to provide these comments and look forward to working with the TCA during the decision-making process.

Very truly yours,


Joe Soto
Mayor

cc: William Huber, Assistant City Manager
Molly Bogh, Planning Director



ORANGE COUNTY FIRE AUTHORITY

P.O. Box 57115, Irvine, CA 92619-7115 • 1 Fire Authority Rd., Irvine, CA 92602

Chip Prather, Fire Chief

(714) 573-6000

June 4, 2004

Transportation Corridor Agencies
Macie Cleary-Milan
125 Pacifica
Irvine, CA 92618-3304

REC'D JUN 07 2004

Ref: **DEIR SOCTIIP**

Dear Ms. Cleary-Milan:

Thank you for the opportunity to review the SOCTIIP DEIR/EIS. The overall project will not require additional public safety resources for the Orange County Fire Authority portion of the project. While no additional public safety resources are needed as a result of this project, all standard conditions and guidelines will be applied to the project during the normal review process.

U1-1

The Orange County Fire Authority recommends the following for public safety accesses and emergency services response:

- Hydrants: Due to the placement of the alternatives in the wildland interface areas which are within a Very High Fire Severity Hazard Zone, we recommend adding water points to the area at strategic locations.
- Turn arounds: Long stretches of roadway without emergency access turnarounds cause delays in emergency response. Please plan emergency all weather access for heavy equipment turnarounds.
- Helicopter Landing Zone: Consider adding Helicopter Landing Zone(s) to the project in the back country area where there are no offramps for Air Ambulances to respond for accidents.

U1-2

U1-3

U1-4

We request that any subsequent documentation or information be forwarded to the above letterhead address, attention "Strategic Services". You can also reach me at (714) 593-6199 or michelehernandez@ocfa.org.

Sincerely,

Michele Hernandez
Management Analyst/Strategic Services



U2

Capistrano Unified School District

Excellence in Education

32972 Calle Perfecto, San Juan Capistrano, California 92675

Telephone (949) 489-7000/FAX 248-8546

August 6, 2004

REC'D AUG 06 2004

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**DIVISION OF
FACILITIES PLANNING**DAVID A. DOOMEY
Associate SuperintendentCARY BROCKMAN
DirectorBOB SENDZIK
Manager

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, California 92618

**Subject: Draft EIS/SEIR for the South Orange County Transportation
Infrastructure Improvement Project**

Dear Ms. Cleary-Milan:

The Capistrano Unified School District (District) appreciates the opportunity to respond to the Draft EIS/SEIR for the proposed extension of SR 241 south. Every potential alignment affects at least one school within the District in some way. We are, therefore, responding with our concerns regarding these proposed alignments.

Several schools have been identified as located within disturbance limits of the proposed alignments. As a result, the project proposes temporary and permanent impacts which would mean the loss of use, and, in some cases, loss of acreage from an existing school site. Mitigation Measures PS-14 and PS-15 require negotiation with schools or school districts on compensation for permanent acquisition or temporary use of property. The District strongly urges early consultation and negotiation once an alignment has been selected in order to minimize the impacts to these schools. Every effort must be made to protect the educational environment of the students with the least amount of disruption.

All efforts should be made to minimize the amount of school property impacted by the proposed project. This includes impacts considered temporary, such as construction impacts, and more importantly, the permanent loss of school property. Alternatives that result in the permanent loss of school facilities should be avoided.

The District recognizes that Alternatives FEC-W, FEC-M and A7C-FEC-M would not result in loss of acreage impacts, either temporary or permanent, to any schools within the District. It is further acknowledged that Alternative CC would impact the greatest amount of schools within the District, including impacts on Tesoro High School and San Clemente High School.

**DRUG USE
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LIFE ABUSE**

U2-1

U2-2

Ms. Macie Cleary-Milan
August 6, 2004
Page Two

Tesoro High School

Alternatives CC, CC-ALPV, and A7C-ALPV identify permanent impacts to land used for landscaping, access road and parking. It should be noted that a part of the District's mitigation requirements for impacts to biological resources associated with the construction of Tesoro High School included the installation of a low flow stream. This low-flow stream is located in front of the school and separates the parking lot from the street (or access road). This area was mitigation required under the terms of the Streambed Alteration Agreement and the Army Corps of Engineering Permit for the construction of the High School. Disturbance of this area must be avoided.

U2-3

Additionally, there is a current parking shortage, and any reduction of parking spaces would negatively affect the school. All efforts should be made to ensure that the proposed project results in no net loss of parking spaces.

U2-4

San Clemente High School

Implementation of Alternatives CC and I-5 would be detrimental to the successful operation of San Clemente High School. It would result in the permanent take of approximately 6.0 acres including part of a track adjacent to I-5, ball fields, tennis courts and handball courts and the temporary use of 7.0 acres of these facilities during construction. These impacts would require the displacement or closure of these facilities. This would be an adverse and significant impact to the High School.

U2-5

San Juan Hills High School

San Juan Hills High School is currently under construction, with a revised estimated opening date of August 2006. Alternative AIO would result in permanent impacts to 1 acre of school property. It should be noted that high voltage electrical transmission lines and towers are located immediately east of the school site, along La Pata Avenue. Page 4.24-47 of the EIS/SEIR identifies a need to relocate or add 18 towers, 10 poles and 12 pair poles. Per an Initial Study and Addendum to Final Revised and Recirculated Environmental Impact Report for Whispering Hills, dated September 26, 2002, a 350 foot setback from these transmission lines has been established in accordance with State requirements. High voltage transmission lines cannot be moved any closer to San Juan Hills High School. If this alternative is selected, TCA should work closely with the District to ensure that high voltage transmission lines are not moved closer to the school site.

U2-6

Las Flores

Page 4.24-46 identified Las Flores as an Elementary School. It should be noted that there are two schools located on the same property, Las Flores Middle School and Las Flores Elementary School. Please revise the language on page 4.24-46 to accurately reflect the District's facilities.

U2-7

There are currently 2,423 students in grades K-8 at Las Flores Elementary and Middle Schools, located on approximately 20.02 acres. The permanent loss of 5.2 acres associated with Alternative AIO would reduce the student-to-acre density from 121.03 to 163.49. Such a student-to-acre density would be detrimental to the operation of the school, and would make State-mandated physical education requirements, especially involving activities on turf play areas nearly impossible. This alternative should be avoided.

U2-7

San Juan Elementary School

The I-5 alternative would result in the temporary loss of use and permanent acquisition of 1.3 acres, including 2 permanent buildings and 2 portable buildings. In addition, the location of this school directly adjacent to the I-5 freeway would result in significant impacts related to noise and air quality both short term and long term. This alternative should be avoided.

U2-8

Noise

Mitigation Measure N-3 relates to control of noise levels at schools. Again, the District requests early coordination with TCA to identify and implement noise control measures with the least disruption of the educational environment. The District supports the limitation of excessive noise producing construction activities to the summer months, and nighttime hours, when school is not in session. Additional sound attenuation, such as modification to classroom structures may be deemed necessary. Any noise created by the proposed project, with the potential to upset or bring about interruption of academic activities should be considered a significant impact.

U2-9

Long-term noise impacts associated with the operation of the toll road must also be mitigated to a level of insignificance. Interior noise standards established by local noise ordinances and the Department of Education guidelines must be met. TCA must ensure that noise generated by the toll road does not exceed those standards within classroom spaces. The District requests TCA coordination during the Final Noise Analysis once an alternative has been selected. The Final Noise Analysis should include an assessment of anticipated interior noise levels and should identify feasible mitigation to attenuate sound to the identified standards. A mitigation measure should be added to reflect this condition.

U2-10

Air Quality

Short term construction impacts will occur to all schools located adjacent to any proposed alignments. Dust from grading operations and vehicle emissions will result in air quality impacts which should be identified and mitigated using standard construction practices to minimize the impact. In addition, the District recommends that grading operations near schools be conducted during the summer months and during hours when school is not in operation.

U2-11

Ms. Macie Cleary-Milan
August 6, 2004
Page Four

Long term air quality impacts will result from vehicle emissions related to traffic on the tollway. This will be a significant and unavoidable impact.

U2-12

Correction

The number of CUSD facilities is listed incorrectly on page 4.24-7. Please revise the EIS/SEIR to accurately reflect the number of schools within the District.

U2-13

36 elementary schools

10 middle schools

6 high schools (including the San Juan Hills High School which is currently under construction)

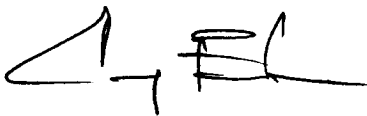
Finally, any potential alteration of school access must be coordinated well in advance with the District. This includes construction related street closures, which would impact access by school buses and private vehicles.

U2-14

Please copy the District with all future communications related to the proposed extension of SR 241.

Sincerely,

CAPISTRANO UNIFIED SCHOOL DISTRICT



Cary Brockman
Director, Facilities Planning



Orange County
Taxpayers Association

30205 Hillside Terrace, San Juan Capistrano CA 92675-1542
phone (949) 240-6226 • fax (949) 240-0304 • www.octax.org

June 19, 2004

Ms. Macie Cleary-Milan
Deputy Director, Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine CA 92618-3304

RECD JUN 28 2004

Re: Draft EIS/SEIR for South Orange County Transportation Infrastructure
Improvements

Dear Ms. Cleary-Milan,

Most public testimony on the Draft EIS/SEIR focuses on the physical impact of the proposed completion of the 241 Toll Road on the South County environment. The Orange County Taxpayers Association (OCTax) cares about our environment too, but we take a different approach. Obviously free-flowing traffic causes less pollution than stop-and-go traffic; more importantly, it generates economic wealth that enables us to maintain our parks, beaches, private land, housing, water and sanitary systems, flood control, landfills, recycling facilities, fire protection and other services that enhance the environment. The worst ecological disasters occur in economically distressed areas. Adequate transportation, by its effect on our economy, is essential to our environment.

Toll roads are an especially fair, cost-effective, practical, and taxpayer-friendly way to improve our economy and our environment.

- User fees (tolls) are better than taxes. We are forced to pay taxes, whether we use a service or not. We pay tolls voluntarily, in fair exchange for using the roads. Isn't that better than taxing everyone for a service, even those who do not use it?
- Measurable results are better than unknown results. Drivers' willingness to pay tolls is an absolute measure of customer satisfaction and investors' judgment. Isn't that better than building taxpayer-financed "free" roads, for which there is no test of cost-effectiveness?
- Practical solutions are better than waiting for miracles. The toll roads were planned as freeways, but there was no taxpayers' money to build them. TCA stepped in and built 67 miles of first-class roads with investors' money. When the bonds are repaid, the toll roads will become freeways at little cost to taxpayers. Isn't that better than waiting a lifetime for the state and federal governments to send us money extracted from taxpayers to build roads?

O1-1

- Voluntary investment is better than taxes to build infrastructure. Toll roads are 85% funded by non-recourse revenue bonds, not taxpayer-guaranteed general obligation bonds. Development Impact Fees (11%) and grants (4%) pay the rest. Isn't it better to have investors and drivers, rather than taxpayers, assume the risk of building roads and paying for them?

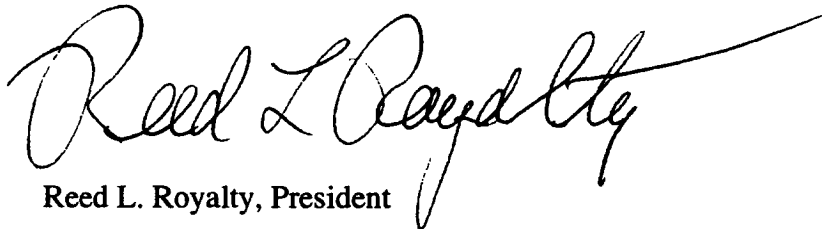
OCTax supports the toll road alternatives analyzed in the Draft EIS/SEIR, because they would build infrastructure with investor money and user fees rather than taxes. The toll road alternatives can be completed, whereas taxpayer-financed improvements may not be funded.

OCTax opposes the non-toll road alternatives in the Draft EIS/SEIR (i.e., widening arterials and the I-5) because they rely on non-existent tax dollars, not user fees, and may never be completed.

OCTax opposes the no-action alternative, which by the year 2025 would condemn commuters and businesses to eight hours per day of gridlock on the I-5 and on surface streets that feed the

I-5 in the cities of San Clemente, Dana Point, San Juan Capistrano, Laguna Niguel, Mission Viejo, Aliso Viejo, Laguna Hills, Laguna Woods, and Lake Forest.

As you weigh the environmental effects of the proposed completion of the 241, please do not overlook its social and economic benefits. They will strongly enhance our ability to maintain Orange County's natural environment.



Reed L. Royalty, President

O1-1

Sandwich Buddies

02

Maryjane Stover

800 Avenida Pico #5

San Clemente, Calif 92673

June 22, 2004

REC'D JUN 25 2004

To Whom It May Concern,

My name is Maryjane Stover and I am the owner of Sandwich Buddies on 800 Avenida Pico #5 in San Clemente in the Gateway Center. I am writing to you concerning the proposed tollroad through Pico. I am greatly opposed to this Central Corridor. I have owned my deli for 9 years and have built up a great reputation in town. If the tollroad goes through, I will lose my business and my livelihood.

O2-1

You will be taking everything from me that I have worked hard for. I would lose everything. All my money is tied up in my deli. I am also supporting several families in my deli. These people too would be out of work. You would also put everyone else in the shopping center out of business. The toll road would not be bringing more business to San Clemente, it would be bypassing the town.

There are other alternatives than putting people out of business and out of their homes. We need to improve on the streets we already have and not have to pay for a toll road.

Again I vote NO on the toll road.

Sincerely Yours
Marysane Stover



03

June 23, 2003

Ms. Macie Cleary-Milan
Deputy Director-Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, California 92618-3304

REC'D JUN 25 2004

RE: Foothill South Extension—**No to all Ave. Pico Alternatives**

Dear Ms. Cleary-Milan:

I am the owner of Gateway Village Shopping Center located at 800-810 Avenida Pico in San Clemente, CA. The property is approximately 72,000 square feet and is anchored by an Albertson's supermarket. Our shopping center is home to over 20 businesses and retail stores. The property is located across the street from San Clemente high school at Ave Pico and Ave Presidio. We have invested our life savings in this property to create a beautiful shopping center for the community of San Clemente. This property is our primary source of income and the livelihood of our many merchants and tenants.

The Avenida Pico alternatives are a disaster for the community of San Clemente. In particular, the Central Corridor alternative would be a deathblow for our property and for the entire community that surrounds Ave Pico. This CC alternative would cut the community in half and drive thousands of people from their homes. It would devastate the quality of life in this region of San Clemente. Views of rolling hills, green trees, and the ocean would be replaced by concrete overpasses. Our property would be condemned or rendered unleaseable. We can not allow this to happen.

The TCA and governing authorities must find an alternative that does not involve Avenida Pico and especially not the CC alternative. I am horrified that this alternative is even being considered. I and hundreds of property owners in this area will litigate and challenge any attempt to utilize the CC Pico alternative.

I am available at (949) 646-2900 to answer any questions you may have.

Thank you.

Sincerely,

Claude L. Yacoel
Yacoel Properties I, LLC.

CC: Susan Ritschel, Mayor of San Clemente

03-1

MARBLEHEAD COMMUNITY ASSOCIATION

June 29, 2004

REC'D JUL 02 2004

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine , CA 92618-3304

RE: TRANSPORTATION CORRIDOR AGENCIES - FOOTHILL SOUTH

Deputy Director:

The Marblehead Community Association, is comprised of a seven member Board of Directors, one representative from each of the sub Associations. Marblehead is a Master Planned Community Association in San Clemente incorporated in 1981. The community is comprised of 997 units and one apartment complex. During their most recent meeting the Board spent considerable time discussing at length the topic of the Foothill-South transportation project and the recently distributed Environmental Impact Statement.

The Board unanimously and emphatically agreed and in the strongest of terms possible that those plans proposing to construct a traffic corridor down Avenida Pico or plans calling for a traffic corridor terminating in the vicinity of Avenida Pico are not acceptable to the Marblehead Community. Those plans are designated as A7C-ALPV, CC, CC-ALPV, and AIO. The impact on the quality of life, the displacement of homeowners, as well as local businesses is just too severe.

The only viable option would be the Far East Corridor and the Far East alternatives (FEC-M, FEC-W, A7C-FEC-M). These proposed routes have the least impact on lives, homes and businesses in the San Clemente community.

Sincerely,

The Board of Directors
MARBLEHEAD COMMUNITY ASSOCIATION

cc: Faire Harbour Association
Highland Light Association
Highland Light Village
New Providence Association

Pacific Point Apartments
Signal Pointe Association
The Summit Association

O4-1

AMMCOR

970 Calle Amanecer, Suite A, San Clemente, CA 92673

Office # 949-661-7767 Fax # 949-661-5696

BROADMOOR SAN CLEMENTE COMMUNITY ASSOCIATION

July 6, 2004

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

REC'D JUL 07 2004

RE: TRANSPORTATION CORRIDOR AGENCIES - FOOTHILL SOUTH

Deputy Director:

The Broadmoor San Clemente Community Association was incorporated in August of 1974. The community consists of 201 homes on single loaded streets off Avenida Presidio and Calle Miguel, just above the San Clemente High School on Avenida Pico. During their most recent meeting the Board of Directors and members spent considerable time discussing the topic of the Foothill-South.

The Broadmoor Board is unalterably opposed to any plans that call for the construction of a traffic corridor down Avenida Pico. The severe impact on the value of property and the visual blight of a traffic superstructure would radically alter the quality of life the community has known for the past thirty years.

The Central Corridor alternative **must not** be selected as a project.

Sincerely,

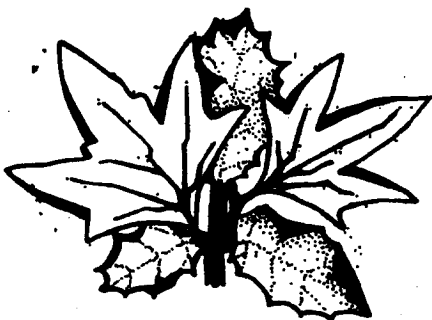
The Board of Directors
BROADMOOR SAN CLEMENTE COMMUNITY ASSOCIATION

O5-1

July 20, 2004

Ms. Macie Cleary-Milan
 Deputy Director – Environmental Planning
 Transportation Corridor Agencies
 125 Pacifica, Suite 100
 Irvine, CA 92618-3304

REC'D JUL 26 2004



The Donna O'Neill Land Conservancy

A NON-PROFIT CORPORATION

BOARD OF DIRECTORS

Gilbert Aguirre, President
 Leon Baginski
 Bill Dolby
 Mike Evans
 Bob Hamilton
 Michael Lindsey
 Megan MacDonald
 Anne Marie Moiso
 Katrina Moiso Lamkin

EXECUTIVE DIRECTOR

Laura Cohen

Dear Ms. Cleary-Milan:

I am writing to inform you that by the unanimous vote of Directors present at their July 8, 2004 meeting, *The Donna O'Neill Land Conservancy* Board of Directors opposes the Transportation Corridor Agencies' alignments that cut through *The Conservancy*. The Board is opposed to any road that would go through *The Donna O'Neill Land Conservancy*.

The Conservancy was set aside because of its diversity of plant and animal habitats, in order to protect wildlife and in mitigation for the thousands of homes built in the adjacent Talega Planned Community. *The Conservancy* was established after many long negotiations between the County, the City of San Clemente, Rancho Mission Viejo, many citizens, and the developers who established the Talega Planned Community.

The legal documents establishing *The Conservancy* state:

"The Area's natural elements, ecological, scientific and aesthetic values are of great importance to the people of the State of California, the people of the County of Orange, the Grantor and Grantee, and are worthy of protection and preservation... The parties desire that the Easement Area's ecological elements, scientific and aesthetic features be preserved and maintained in perpetuity..."

A road through *The Conservancy* is incompatible with conservation values. A toll road through the reserve will greatly diminish the recreational opportunities now enjoyed by the community. The road will destroy hundreds of acres of prime wildlife habitat, and will endanger the wildlife on the remaining portion of the reserve.

To reiterate, as a Board of Directors charged with the protection of an important natural treasure, we oppose the Foothill South Toll Road alignments proposed to cut through *The Conservancy*. *The Donna O'Neill Land Conservancy* is a promise to our community and to the communities of the future. More detailed formal comments on the prepared Draft EIS/SEIR will follow.

Sincerely,

Gilbert Aguirre
 President
 Board of Directors
 The Donna O'Neill Land Conservancy

Tax ID # 33-0443790



07

San Diego County Archaeological Society, Inc.
Environmental Review Committee

17 July 2004

REC'D JUL 20 2004

To: Ms. Macie Cleary-Milan
Deputy Director, Environmental and Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, California 92618-3304

Subject: Draft Environmental Impact Statement/Subsequent Environmental Impact Report
South Orange County Transportation Infrastructure Improvement Project

Dear Ms. Cleary-Milan:


I have reviewed the cultural resources aspects of the subject DEIS/DSEIR on behalf of this committee of the San Diego County Archaeological Society.

Based on the information contained in documents provided to us, we have the following comments:

1. Mitigation Measures AR-1 and AR-2 need to specify that the archaeological collections and associated records from survey, testing and data recovery phases must be curated at an institution meeting the requirements of 36 CFR 79, which is applicable as a result of the involvement of federal funds and permits in the project. The Agency is responsible for providing the necessary funding for curation and for executing the necessary documentation to transfer title to the institution. The archaeologist is responsible to provide documentation from the institution that the transfer has taken place. O7-1
2. Mitigation Measure AR-3, which addresses collections resulting from archaeological monitoring, also needs to be reworded to require that collections and associated records must be curated at an institution meeting 36 CFR 79. The other comments in regard to curation, above, also apply for collections resulting from monitoring. O7-2

Thank you for providing this project's environmental documents to SDCAS for our review and comment.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

COASTAL POSTAL
806 EAST AVE. PICO, SUITE I, SAN CLEMENTE, CA. 92672

July 26, 2004

REC'D JUL 28 2004

Ms. Macie Cleary-Milan
Deputy Director- Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Ste 100
Irvine, CA 92618-3304

RE: Foothill South Extension – **No to all Ave. Pico Alternatives**

Dear MS. Cleary-Milan

I am the owner of Coastal Postal located at 806 E. Ave. Pico, Ste I, in the Gateway Village Shopping Center located across the street from the San Clemente high school at Ave. Pico and Ave. Presidio. I have invested my life savings in my business to create a pleasant shopping experience for the community of San Clemente. As this business is my primary source of income, I am understandably very interested in the current review process relating to the various Foothill- South extension routes under consideration.

The Avenida Pico alternative would devastate the quality of life in the community of San Clemente and in particular those that live and work in the immediate area surrounding Ave. Pico. In particular, the Central Corridor alternative would be a disaster for my business. In addition to the CC alternative cutting the community and our customer trade area in half, it will adversely affect the shopping center in which I am located and the economics of my business to the point that I would not survive. We can not stand by and allow this to happen.

The TCA and governing authorities must select an alternative that does not involve Avenida Pico and especially not the CC alternative. I am shocked that this alternative is even being considered. I believe that one of the alternative Far East alignments is more appropriate. I and the majority of the other business owners in this area are prepared to organize and challenge any attempt to utilize the CC Pico alternative.

I am available at 949-498-8782 to answer any questions you may have.

Sincerely,

Mary Miller
Mary Miller

CC: Susan Ritschel, Mayor of San Clemente

O8-1

Bob Tremble
Fairview Mortgage Capital, Inc.
6 Corn Flower Street Coto de Caza CA 92679
Bus. (949) 766-2736 Fax (949) 766-2738 bobtremble@cox.net

Bob has something to Say!

REC'D JUL 28 2004

Dear Ms Macie Cherry-Milan

I am in favor of the extension of the 241.

I will use the 241 almost every day. I believe that this maybe one of the most important ROADWORKS over the next few years

My people current have to get on the 5 to go South. With this extension it will take a lot of Traffic off OSO and Crown Valley and the Portion of the 5 Freeway.

Count my vote for the extension
Bob J. Tremble
7-26-04

Deanna Hastings
Fairview Mortgage Capital, Inc.
6 Corn Flower Coto de Caza CA 92679
Bus. (949) 766-2736 Fax (949) 766-2738

July 26, 2004

REC'D JUL 28 2004

Ms. Macie Cleary-Milan
Deputy Director - Environment Planning
125 Pacifica
Irvine, CA 92618-3304

Hi Macie;

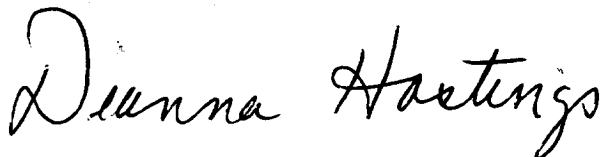
I fully support the expansion of the 241. We need this expansion. This will take a lot of cars off Oso Parkway and Crown Valley, coming to and from Coto de Caza, Rancho Santa Margarita, Ladera Ranch, Las Flores, and Wagon Wheel.

O10-1

This will also relieve a lot of cars off the 5 Freeway at those locations. This expansion is a must and will save a lot of time and money for many of us who use these roads. I will drive on that expansion.

If you have any questions, call me.

Sincerely,



Deanna Hastings

TMC

TALEGA MAINTENANCE CORPORATION

011

Managed by
Merit Property Management, Inc.

REC'D AUG 04 2004

August 2, 2004

Transportation Corridor Agency
125 Pacifica, Suite 100
Irvine, CA 92618

Re: Foothill South Transportation Corridor Extension
Environmental Impact Report

To Whom it May Concern:

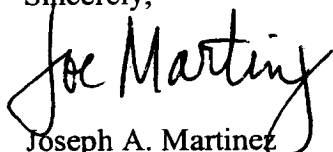
After a brief review of the Environmental Impact Report for the above referenced project, I am interested in receiving additional information about the impacts of the project to the Talega Community. Please provide an explanation as to the impacts to the community of Talega relative to the following issues:

1. How will the increased noise generated from the Foothill South Toll Road impact Talega and how will it be mitigated? | O11-1
2. How will the increased traffic impact the air quality within our community? | O11-2
3. What common areas owned by the Talega Maintenance Corporation will be impacted by the alignment? | O11-3
4. What will the impacts be to the overall circulation within the Talega Community? How can these impacts be mitigated for in a way that does not divide the community? | O11-4
5. The aesthetics of our community is an important feature of Talega, how will these alignments mitigate the aesthetic impacts to the community? | O11-5
6. How will the community be compensated for the: area; circulation; and aesthetic impacts? | O11-6

Please direct your response to the Talega Maintenance Corporation, managed by The Merit Properties, c/o Joe Martinez, One Polaris Way, Aliso Viejo, CA 92656.

Thank you for attention to this matter. Please do not hesitate to contact me with any questions at (949) 448-6077.

Sincerely,



Joseph A. Martinez
Executive Director
Talega Maintenance Corporation



012

June 21, 2004
Transportation Corridor Agencies
Ms. Macie Cleary-Milan
Deputy Director-Environmental Planning
125 Pacifica, Suite 100
Irvine, CA 92618-3304

REC'D JUL 20 2004

Dear Ms. Cleary-Milan,

As 18 year residents of San Clemente, we wish to state that we strongly oppose the Central Corridor option on Pico. It seems inconceivable that any person in their right frame of mind would propose such drastic measures which would result in the destruction of our beautiful community in the name of "progress." Our family currently resides in the Faire Harbour community which is situated next door to St. Andrews church which appears to border the proposed Toll Road bridge span. We also are owners of a business located in the Gateway Plaza which is located at the intersection of Pico and Avenida Frontera. **If this plan goes through, we will be left both homeless and unemployed.**

When we first moved here in 1985, we immediately noticed how remarkable it was that the Interstate 5 freeway was allowed to split San Clemente in half instead of curving the route along the western border of the town. "Agencies" and "Politicians" at that time were able to railroad this fair town into accepting this totally unacceptable measure because the voices in San Clemente were not numerous and loud enough to express their outrage. Today, even worse and more outrageous plans are under way to pave over fair San Clemente and eliminate what quality of life that is left.

Upon studying this proposal in detail, we began to realize that the Agencies' three Pico alternatives were designed to wreak the most havoc against homes and businesses so that one of the three Pendleton alternatives will be the clear winner and thus much easier to stomach by the residents. The proposed "choice" between saving hundreds of homes and business at the expense of nature preserves and a few fish is a "no brainer." However, common sense dictates that **none** of the proposed alternatives would be beneficial to the people of San Clemente.

The Transportation Corridor Agencies should be ashamed of themselves in using such heavy handed, doom and gloom strategies of attempting to scare less informed residents into supporting one or another route alternative when clearly all of the Toll Road proposals are fraught with ill-planning and uses "voodoo" economics to substantiate viability. In addition, the Agency should be doubly condemned by the people of San Clemente for pitting us against the Sierra Club and other environmentalists (who also have valid arguments against the Toll Road) - how amusing is must be to watch us duke it out and see who is left standing while feeling so assured that both combatants are the losers and the Agencies with their tons of concrete and blight are the real winners in this contest.

Shame on you! Our vote is no on all proposed routes of this Foothill South Toll Road!

Sincerely,

Knute Jackson
Owner and Resident

Lauren Jackson
Owner and Resident

Keith Jackson
Owner and Resident

806 AVENIDA PICO, SUITE H
SAN CLEMENTE, CA 92673

PHONE: 949.388.9412
WWW: RAEKEI.COM
E-MAIL: PHOTOS@RAEKEI.COM

012-1



miocean

3 Park Plaza, Suite 1490
Irvine, CA 92614
888.4.MIOCEAN
888.464.6232
Fax: 888.465.6232

Public Response to EIR

July 30, 2004

Ms. Macie Cleary-Milan
Deputy Director – Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

RECEIVED

AUG 05 2004

TRANSPORTATION
CORRIDOR AGENCIES**RE: South County Area Tollway Extension**

Dear Ms. Cleary-Milan:

This letter is to express MiOcean's comments on the water quality assurance component of the project EIR. MiOcean is a non-profit foundation raising private funds to match public efforts in mitigating local beach pollution. Our work has included partial sponsorship of a run-off diversion system at Doheny Beach, as well as participation in the \$6 million treatment plant at Salt Creek. In as much as we're trying to eliminate the discharge of polluted run-off at our swimming beaches, we took an interest in this highway project as a potential new source of trouble. However, after reviewing the EIR documentation, it appears the TCA will be implementing reasonably effective Best Management Practices (BMPs). Specifically, our remarks include:

- The use of drainage "splitters" to run low flows into Water Quality/detention basins should be a reliable way to entrap "first flush" polluted run-off to protect downstream areas from increased runoff. However, religious maintenance will be necessary to ensure its effectiveness and control vector issues. O13-1
- The EIR calls for implementing Construction Phase perimeter controls, which are crucial to containing sediment. Adjustments should be anticipated on a "Phased" and regular basis as construction evolves, especially along slopes until planting takes full hold. O13-2
- The extensive hydrology analysis addresses low frequency storm reoccurrences that are notorious for pollution mobilization and discharge. We assume the basin designs account for these lesser volume flows while still remaining effective for flood peaks. Again, frequent, low flow runoff means more maintenance required! O13-3

We understand the TCA is bound to follow CALTRANS standards for BMP's, which are "biased" towards low maintenance. We believe this project deserves consideration of effective treatment options, which may require more attention. Bioswales, planted filtration strips, and linear constructed wetlands have proven to be very effective and can be helpful in blending functional facilities to natural habitat. Finally, we realize the project may be able to mitigate its immediate and definable Water Quality impacts, but invite TCA's interest in addressing this issue on a regional scale since the advent of a new highway introduces subtle, but real, regional changes. A retrofit to the South San Clemente reach of the San Diego Freeway for run-off control; help on the severely polluted San Juan Creek; or mitigation of locally identified "hot spots" in the projects' watershed would seem appropriate given the scale of the proposed project.

O13-4

MiOcean is willing to help TCA identify opportunities in conjunction with local authorities and remains interested in the incorporation of practical, yet ecologically sensitive, water quality measures for this project.

Please feel free to contact me any time at (949) 474-1960 with any questions or comments. We look forward to our mutual success in making Orange County a better place to live.

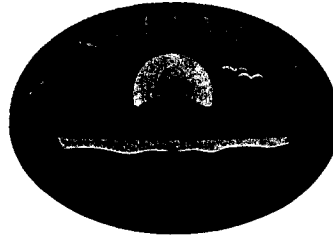
Best regards,

MiOcean



Patrick R. Fuscoe, P.E.
Chairman

PRF/bp



July 8, 2004

Mr. Walter Kreutzen
Transportation Corridor Agencies
125 Pacifica
Irvine, CA. 92618-3304

RECEIVED
JUL 12 2004
TRANSPORTATION
CORRIDOR AGENCIES
OFFICE OF THE CEO
W. D. KREUTZEN

Dear Mr. Kreutzen:

The San Clemente Chamber typically supports public projects that improve mobility and enhance our quality of life. Roads and transportation systems form the backbone of healthy economy, and traffic congestion, especially here in San Clemente, is a major problem.

That's why the Chamber has historically supported the Foothill-South toll road. The extension of the 241, which currently ends at Oso Parkway near Coto de Caza, would help relieve some of the traffic that clogs the 5 freeway, especially weekend traffic. Foothill-South would provide San Clemente businesses and residents another option to the freeway, which will not only help us get around more easily, but would provide a critical alternative route for public safety services like fire, police, and ambulances.

The Chamber continues to support the toll-road alignments that are farthest east of the city. These alignments, which connect near the county line, provide the most complete alternative route to the freeway. Most importantly, the far-east alignments take no businesses and no homes. The Chamber does not support any of the alternatives that stop short of a direct connection to the 5, and opposes the alignments that connect to Pico.

Thank you for your efforts in helping to alleviate traffic congestion and improve safety.

Sincerely,

Ms. Pat Wolfram
Chairman of the Board

RECEIVED
JUL 13 2004

TRANSPORTATION CORRIDOR AGENCY
Director, Communications & Public Affairs
LISA TELLES

O14-1

015



August 5, 2004

REC'D AUG 05 2004

Ms. Macie Cleary-Milan
Deputy Director, Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

via fax & US mail

**Orange County
Chapter**

Building Industry Association
of Southern California

17744 Sky Park Circle
Suite 170
Irvine, California 92614
949.553.9500
fax 949.553.9507
<http://www.bisoc.com>

SUBJECT: Foothill-SOUTH EIS/SEIR

Dear Ms. Cleary-Milan:

On behalf of the Orange County Chapter of the Building Industry Association of Southern California (BIA/OC), thank you for the opportunity to review and comment on the Foothill-South EIS/SEIR. BIA/OC is a non-profit trade association representing over 900 companies employing 112,000 people affiliated with the homebuilding industry. The BIA/OC mission is to promote proactive participation in the development of economic and community issues in Orange County. The BIA/OC is affiliated with the California BIA and the National Association of Home Builders.

The BIA/OC Board of Directors enthusiastically supports the completion of the Foothill Transportation Corridor (known as Foothill South) with a direct link to the I-5 Freeway via any one of the three easterly alignments.

Foothill South has been part of the County's long-term plan for transportation infrastructure for many years. The County Master Plan of Arterial Highways (MPAH) identified this link as early as 1981. The Extension is also included in the State Transportation Improvement Plan (STIP) and the Southern California Association of Government's (SCAG) Regional Transportation Plan (RTIP). BIA/OC supports Foothill South Alignment Alternatives that are consistent with comprehensive local, regional, State and Federal transportation planning efforts.

BIA/OC supports Foothill South alignment alternatives that will reduce traffic congestion, a key component to quality of life. It is important to note that current traffic conditions today along I-5 through San Clemente are already at a poor level of service, particularly at weekend peak times. Conservative estimates from our local universities indicate that Orange County will experience population growth of 600,000 in approximately the next 15 years, regardless of increase in housing stock. According to projections, traffic on I-5 will increase by 60% through San Clemente by 2025 without any improvements. Without Foothill South, traffic on I-5 will slow to gridlock condition.

BIA/OC is supportive of efforts to improve mobility within the County and our region. The movement of goods and services is an essential element in the economic development of our region. The Foothill South alignment alternatives that connect to the I-5 will provide increased mobility within Orange County and between

PRESIDENT
RICHARD DOUGLASS
CENTEX HOMES

VICE PRESIDENT
MITCHELL BRADFORD
NEW WEST HOME

2ND VICE PRESIDENT
THOMAS G. GRABLE
WILLIAM LYON HOMES

TREASURER / SECRETARY
TIM MCSUNAS
PARDEE HOMES

IMMEDIATE PAST PRESIDENT
JON ROBERTSON
CALIFORNIA PACIFIC HOMES

TRADE CONTRACTOR COUNCIL V.P.
BRIAN MAAG
ORANGE COUNTY DRYWALL

ASSOCIATE VICE PRESIDENT
LAER PEARCE
LAER PEARCE AND ASSOCIATES

MEMBER-AT-LARGE
BILL WATT
BAYWOOD DEVELOPMENT

MEMBER-AT-LARGE
ANDY BERNSTEIN
JACKSON, DEMARCO
& PECKENPAUGH

KRISTINE THALMAN
CHIEF EXECUTIVE OFFICER

O15-1

An Affiliate of the National
Association of Home Builders
and the California Building
Industry Association

Ms. Macie Cleary-Milan
August 5, 2004
Page 2

neighboring San Diego County and the inland empire counties. Further, Foothill South will serve as an alternate north-south route in the event of a disaster such as an earthquake or an incident at the San Onofre Nuclear Facility.

BIA/OC supports Foothill South easterly alignment alternatives that will not result in the taking of existing homes and businesses. A median priced home in Orange County is currently over \$500,000. Given the dramatic shortage in Orange County's housing supply, we cannot afford to lose existing housing stock as envisioned under the I-5 widening and other westerly alignment alternatives. The property acquisition process would be costly and would also inconvenience residents. The westerly options are also inferior in terms of providing traffic relief.

BIA/OC supports the Transportation Corridor Agencies in its efforts to balance the need for mobility and protection of the environment. The EIR/EIS has the technical information necessary for TCA to select the easterly alignment alternative for Foothill South that best meets the transportation needs for Orange County and the Southern California Region, while providing appropriate mitigation. TCA has a proven track record of outstanding environmental mitigation and stewardship with past projects.

We commend TCA for its leadership in planning for this key component of our County transportation infrastructure. The completion of Foothill-South will provide significant community benefits, most notably traffic relief. Foothill-South will enhance our quality of life in Orange County.

Thank you for your consideration and we look forward to further dialogue with TCA on this and other transportation issues.

Sincerely,



Richard Douglass
President, BIA/OC
Centex Homes



Mike Balsamo
Director of Governmental Affairs
BIA/OC

Cc: Ms. Kristine Thalman, CEO, BIA/OC
BIA/OC Board of Directors
BIA/OC Transportation Committee
BIA/OC Government Affairs Committee



Orange County Chapter

Building Industry Association
of Southern California

17744 Sky Park Circle
Suite 170
Irvine, California 92614
949.553.9500
fax 949.553.9507
<http://www.biaoc.com>

O15-1

PRESIDENT
RICHARD DOUGLASS
CENTEX HOMES

VICE PRESIDENT
MITCHELL BRADFORD
NEW WEST HOME

2ND VICE PRESIDENT
THOMAS G. GRABLE
WILLIAM LYON HOMES

TREASURER / SECRETARY
TIM MCSUNAS
PARDEE HOMES

IMMEDIATE PAST PRESIDENT
JON ROBERTSON
CALIFORNIA PACIFIC HOMES

TRADE CONTRACTOR COUNCIL V.P.
BRIAN MAAG
ORANGE COUNTY DRYWALL

ASSOCIATE VICE PRESIDENT
LAER PEARCE
LAER PEARCE AND ASSOCIATES

MEMBER-AT-LARGE
BILL WATT
BAYWOOD DEVELOPMENT

MEMBER-AT-LARGE
ANDY BERNSTEIN
JACKSON, DEMARCO
& PECKENPAUGH

KRISTINE THALMAN
CHIEF EXECUTIVE OFFICER

An Affiliate of the Nation
Association of Home Builders
and the California Building
Industry Association

EXECUTIVE COMMITTEE

CHAIRMAN

Stephen Bone
The Robert Meyer Corporation

CHAIRMAN ELECT

Peter R. Villegas
Washington Mutual

IMMEDIATE PAST CHAIRMAN

Christine Diemer Iger, Esq.
*Christine Diemer Iger
& Associates*

TREASURER

Sally Anderson
Burns & Young LLP

**VICE CHAIRMAN,
ECONOMIC DEVELOPMENT**

Dan Miller
The Irvine Company

**VICE CHAIRMAN,
EVENTS**

Frank Ayala
*Southern California
Gas Company*

**VICE CHAIRMAN,
PUBLIC AFFAIRS**

Ron Di Luigi
St. Joseph Health System

**VICE CHAIRMAN,
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Danielle Parente

August 4, 2004

Ms. Macie Cleary-Milan
Deputy Director – Environmental Planning
Transportation Corridor Agencies
125 Pacifica, Suite 100
Irvine, CA 92618-3304

Re: Foothill-South EIS/SEIR

Dear Ms. Cleary-Milan:

The Orange County Business Council (Business Council/OCBC) is pleased to comment on the Foothill South EIS/SEIR. The comments outlined in this letter are intended to complement the preliminary comments offered at the June 19 Public Hearing (attached). On June 19, the Business Council expressed support for the completion of the Foothill-South to in turn help complete Orange County's toll road system; facilitate the movement of people, goods and services throughout the county; and avoid costly and disruptive community impacts.

The Business Council believes that the following principles must be paramount in the review and approval of the Foothill South EIS/SEIR:

1. Consistency with the stated project need and project objectives, with emphasis given to regional mobility;
2. Consistency with NEPA and CEQA objectives, with particular attention to the need to provide alternative access routes while minimizing community disruption, precluding the acquisition of residences and businesses, and, to the extent possible, mitigating environmental impacts;
3. Consistency with existing federal, state, and regional transportation planning programs as required under NEPA and CEQA;
4. Economic benefits.

The Business Council endorses and supports the FTC-South Alternatives that would provide significant traffic relief in Orange County; connect directly with I-5; provide a north-south alternative for residents, commerce, and emergencies; avoid residential and business takings and minimize community disruption; balance the need for mobility with environmental protection; and sustain regional economic development. We believe the Far East alternatives best meet these tests.

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Regional Mobility

The Foothill-South provides for growth that is already planned and inevitable. With the county's population projected to grow by 577,000 by the year 2020, it is imperative that the county's transportation infrastructure keep pace. Doing nothing, traffic on 1-5 will increase by 60% through San Clemente by 2025. I-5 congestion on weekends in south Orange County is already acute; in the absence of the Foothill-South, it will worsen to the level of congestion now seen on Rt. 91 today.

As a business organization, the Business Council is particularly concerned about ensuring the smooth movement of goods and services for the sake of sustaining the region's economy. As noted in our earlier comments, the Foothill-South alternatives that connect to the 1-5 provide increased mobility for the movement of goods and services and access to regional aviation facilities within Orange County and also for adjacent counties. Additionally, the FTC-South is essential as a north-south alternate in the event of a natural disaster such as an earthquake or a San Onofre nuclear power plant-related evacuation.

Consistency with NEPA/CEQA Objectives

The Business Council supports the Transportation Corridor Agencies' efforts to protect the environment while meeting mobility objectives. While it is not within this organization's expertise to evaluate specific mitigation strategies, the FTC-South EIS/SEIR appears to provide the technical support required to identify appropriate mitigation strategies associated with the best alternative for meeting the transportation needs of South Orange County and the southern California region. We acknowledge the environmental challenges associated with the Far East alternatives but would point out that the Transportation Corridor Agencies have established a proven record of protecting the environment to every extent possible.

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Consistency with Existing Transportation Programs

The OCBC Board of Directors endorses the FTC-South Alternatives (specifically alternatives identified as FEC-M, FEC-W and A7C-FEC-M) that are comparable to the FTC-South Alternative identified on the County of Orange Master Plan of Arterial Highways (MPAH), which connect to the I-5. The extension of the Foothill Transportation Corridor is also included in the State Transportation Improvement Program (STIP) and the South California Association of Governments' Regional Transportation Improvement Plan (RTIP). It is important to note that transportation infrastructure included in these documents has met the test of air quality conformity.

Ms. Macie Cleary-Milan
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Economic Benefits

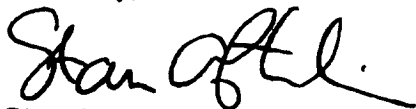
In addition to sustaining the region's economic benefit on a long-term basis by facilitating more efficient movement of goods and services, the completion of the Foothill-South will generate 11,000 to 43,000 construction-related jobs (depending upon the alternative selected) for the short term. In 2025, travel delays will be reduced by 5,000 to 21,000 hours each day, which represents an annual \$45 million to \$110 million in economic value to the regional economy.

In conclusion, we cannot overestimate the importance of completing the Foothill-South and selecting a preferred alternative that meets the tests of the principles noted above. Orange County is part of an extraordinary, economically vibrant region that depends upon an expanding community infrastructure to support it. An efficient transportation system constitutes a key element of this infrastructure. The completion of the Foothill-South consistent with one of the three Far East alignments connecting to I-5 is crucial this objective.

O16-1

Thank you for your consideration.

Sincerely,



Stan Oftelie
President & CEO



Julie Puentes
Executive VP Public Affairs

Sierra Club**Sierra Sage Group
Angeles Chapter****Orange County Native American
Sacred Sites Task Force****Rebecca Robles, Chairperson, 119 Avenida San Fernando
San Clemente, California 92672-3424
Phone: 949/369-0361**

August 5, 2004

RECEIVED**AUG 06 2004****TRANSPORTATION
CORRIDOR AGENCIES****Draft EIS/SEIR Comments
Transportation Corridor Agencies
125 Pacifica, Ste. 100
Irvine, CA 92618
EIS_SEIRcomments@ftcsouth.com**

We have reviewed the following material: the South Orange County Transportation Infrastructure Improvement Project Phase I Archaeological Inventory, prepared by Greenwood and Associates; the Executive Summary section of the EIS; Section 4.16 of the EIS; Section 7.17.2 of the EIS; and Section 8.16 of the EIS. Overall, the document provides scant factual evidence for its conclusions concerning the archaeological and cultural resources that will be destroyed by project implementation. A fatal flaw is present in the lack of recognition of the significance of the San Mateo Archaeological National Register District. The following comments relate to the substantial issues identified as inadequately covered by the EIS.

1. The Village of Panhe: A Traditional Cultural Property, a Sacred Lands Site, and a National Register Archaeological District

The discussion of the San Mateo Archaeological National Register District, consisting of the ethnographic village and associated cultural areas of Panhe, is woefully inadequate and deficient. Section 4.16 does not mention this National Register District, despite its significance. The discussion of sites listed on the National Register of Historic Places, and the summary tables, are misleading. The San Mateo Archaeological District is not one site, as stated in the document and tables, but consists of seven archaeological sites, each of which is a contributing element to the National Register District. Since the document measures significance of impacts for a particular alternative by the number of sites that would be impacted, minimizing the number of National Register properties is an interesting strategy that appears to be designed to select a particular alternative.

In addition to its importance as a National Register District, the San Mateo Archaeological District is a Traditional Cultural Property (TCP). There is no discussion in the EIS about TCPs, or about the status of Panhe as a TCP. Panhe is listed by the Native American Heritage Commission as a Sacred Lands site. National Register Bulletin 38 has substantial guidance on evaluating TCPs, and should have been used by the consultant in their evaluations.

Panhe has an important cultural role in the history of California and the culture of the Juaneño. San Juan Capistrano Mission was founded in 1776; in 1778, Father Junipero Serra baptized sixteen Indians, including individuals from Panhe (Engelhardt 1922: 24). Panhe is also mentioned in the baptismal register for the mission (Engelhardt 1922: 244).

In understating and misdirecting the importance of Panhe, the EIS ignores a document prepared by Caltrans for the National Register eligibility determination of the resource. The "Request for Determination of Eligibility" for the San Mateo Archaeological District, encompassing sites ORA-22, SDI-4284, SDI-4535, and SDI-8435 (Romani 1981), provides important information about the site ignored by the EIS preparers. The report states that the District includes approximately 480,000 square meters, and that the archaeological sites have multi-component stratigraphy, a rare situation for southern California. The EIS casts some doubt in its tone and wording that this site area is Panhe, while substantial evidence exists to support this conclusion.

The Juaneño Indians believe this to be a sacred area; it is worth quoting Romani (1981) at length:

O17-1

Sierra Club Native American Sacred Sites Task Force

August 5, 2004

Page 2

1. As the physical location of a village within the Juaneño traditional tribal area, it is essential evidence of our culture and has significance distinct from any scientific value it may or (because of historic disturbance) may not have.
2. A burial was discovered during construction, and was preserved essentially *in situ* by Caltrans and the Juaneño. Juaneño traditions hold places of burials to be sacred, and our beliefs do not allow for the removal of human remains or any associated personal belongings from their original place of interment. We consider it inevitable that there are additional burials on the site, increasing its sanctity.
3. Panhe was the location of the first close contact between Juaneño people and Europeans, when Spaniards of the Portola expedition camped at a spring in the vicinity during July 1769. Prior contacts had been limited by the fact that the Spanish were traveling at sea by ship. The contact event is memorialized from the white perspective as the occasion for the "first baptism in California."
- "4. Earliest mission records document that our people from Panhe were among the first and most numerous of the Indians to be taken from their homes for the purpose of building the mission compound and developing the ranches....The descendents of the Juaneño people from the village of Panhe who were able to survive the trauma can be numbered among us today...we are still here."

O17-1

The EIS categorizes ORA-22 and the other components of Panhe as "disturbed" and not intact. Since the survey team spent very little time at the site (see discussion on Resource Inventory below), the source of their information is unclear. In fact, even if this is true this would have nothing to do with the status of the district as a TCP. To quote National Register Bulletin 38: "A property may retain its traditional cultural significance even though it has been substantially modified, however."

The National Register District was recently reevaluated by Dr. Brian Byrd (Byrd 1998). He found that the District is eligible under Criteria A and D. He did not find that the site areas were badly disturbed. Regardless of the integrity of site deposits, the village area is a sacred site. The Juaneño people, including direct lineal descendents of Panhe villagers, continue to perform ceremonies and religious observances at Panhe. The known presence of burials at the site elevates its importance beyond any possibility for impact mitigation.

Summary:

None of the information about TCP values of Panhe and the significant values retained in the National Register District is mentioned in the Greenwood report or in the EIS. This is a fatal flaw for the documents.

2. Native American Consultation

The Native American consultation process is summarized in Section ES 4.2.4 and Section 4.16.2.4. The applicant contacted the Native American Heritage Commission, and then

O17-2

contacted “all tribal representatives identified by the NAHC.” These representatives are not listed so it is impossible to assess the adequacy of this contact, or to document the results. The text goes further to state that no tribal member had raised “substantive issues.” Again, lacking documentation of the contacts, it is not possible to evaluate which issues were dismissed by the project proponent as unimportant.

O17-2

A major error in the document is the omission of the fact that Panhe is listed by the NAHC in the Sacred Lands file as a sacred site. If the consultant did Native American consultation with the NAHC, this issue would have come out. Because the consultant does not know that Panhe is a listed sacred site, the entire discussion of impacts and mitigation is inaccurate and incomplete. This major mistake casts doubt on the quality of the other research done by the consultant.

O17-3

Considering the importance of Panhe to the Juaneño, and that this importance is well known (see the above discussion and Caltrans evaluation), it is odd that the Native American consultation did not identify the village as a TCP. Furthermore, Dr. John Johnson has conducted detailed genealogical research on Panhe, and has identified individuals whose descendents still hold Panhe sacred (Johnson and O’Neil 2001). None of this information about the Juaneño is mentioned in the Greenwood report or in the EIS.

Summary:

Native American consultation did not include descendents of Panhe, nor did it recognize that the NAHC has listed it as a Sacred Lands site. Consultation should be reinitiated using a consultant familiar with tribal issues.

O17-4

3. National Register Eligibility Evaluations

The issue of National Register eligibility, the key to Section 106 significance evaluation, is not presented clearly in the EIS. As stated above in the section on Panhe, the number of National Register listed sites is understated significantly. Seven sites constitute the San Mateo Archaeological District, not one.

O17-5

No testing for National Register eligibility was done for the EIS. Instead, determinations of eligibility were postponed to some later, unspecified time. The EIS states that a Programmatic Agreement and Treatment Plan will be prepared to address site eligibility, but it is not possible to assess potential impacts from the various alternatives without more information about the sites discussed in the EIS.

O17-6

The environmental process is meant to assist decision makers in evaluating project impacts and developing a project alternative that will have the least adverse effects on the environment. The phased approach described in the EIS seems designed to have the opposite result. With no eligibility testing done for the EIS, evaluations are deferred until the Final EIS is circulated; at that point, an alignment will have already been selected. This decision will have been based on

O17-7

partial and inaccurate cultural resource data, as presented in the technical report and EIS. Or, on the number of sites that would be impacted by a given alignment, regardless of the type, size, or significance of the sites. Then, data recovery will proceed on eligible resources, with no option for redesign or avoidance. This process appears to be directed toward picking a particular alignment with a minimal amount of information.

O17-7

For those sites that have been determined eligible, there is no discussion about how the project will adversely impact the qualities and values that caused those properties to be listed. Therefore, it is impossible to assess the adequacy of the mitigation measures.

O17-8

Regarding the mitigation measures themselves, it would seem premature to require data recovery when eligibility testing and impact assessment based on the alignments has not been done. In addition, there is no mention of preservation in place and avoidance as the preferred alternative. Both NEPA and CEQA state that avoidance is the preferred mitigation measure.

O17-9

Specifically, mitigation measure AR-1 should require that all sites not tested for eligibility be tested. Measure AR-1 states that only potentially eligible sites will be tested. Potential eligibility cannot be assessed based on the scanty and limited inventory accomplished by Greenwood and Associates (see discussion below on the inventory).

O17-10

No mitigation measure provides any mitigation for TCPs. Measure AR-4, requiring "design options" near Panhe, does not address tribal or cultural issues for this resource. Since no consultation was done with the Juaneño descendants of Panhe, how can a mitigation measure be adequate?

O17-11

Summary:

The so-called phased approach to eligibility determination will result in evaluation of a pre-selected alternative without adequate information on cultural resources. Data recovery conducted at eligible resources is the only mitigation offered. No preservation mitigation measures are discussed.

O17-12

4. Impact Assessment

Section ES.6.18.1, Adverse Impacts Related to Historic and Archaeological Resources, includes a statement that gives the rationale used in the document for evaluating the level of impact from each alternative. The potential for adverse impacts of the SOCTIIP alternatives is measured "in terms of the total number of archaeological resources potentially impacted by each alternative." The number of sites impacted is not an accurate or adequate method. There may be many small sites in an alternative, and one large site in another; using the method described in the EIS, the alternative impacting the fewest sites would be automatically judged as less impactful. The EIS

O17-13

has used this method to downplay the importance of Panhe, grouping the seven National Register District sites into one site.

O17-13

An alarming statement is made in Section ES.6.18.3. This paragraph states that "...all the SOCTIIP build alternatives are assumed to result in potentially significant adverse impacts under CEQA related to archaeological and historic resources that cannot be mitigated to below a level of significance." With the extensive loss of cultural heritage sites throughout southern California due to decades of development, how can additional, unmitigable impacts to unique resources be acceptable? The SOCTIIP project will destroy dozens of unique archaeological and historical sites of all sizes, time periods, and types, essentially wiping out an entire landscape of cultural resources. Since this statement acknowledges that no mitigation for this impact is possible, why has the project gone forward without substantial redesign and reengineering to avoid impacts? The cumulative impact of this unmitigated loss on the cultural resources and TCPs of the region needs complete evaluation and a plan to avoid this loss.

O17-14

Summary:

The decision on the build alternative will be made based on the number of sites found within a particular alignment, not site significance. Unmitigatable impacts to cultural resources will occur.

O17-15

5. Resource Inventory

The technical report (Greenwood and Associates 2003) and EIS state that the entire project area, encompassing all the build alternatives, was the subject of a pedestrian survey for cultural resources. The EIS states that some portion of the project area was previously surveyed. However, no survey maps are provided in the technical report to evaluate which areas were surveyed, and how long ago they were inventoried. Some of the areas may not have been surveyed for decades; because field conditions change and the science of archaeology itself has changed in terms of how artifacts and resources are recognized, surveys over five to ten years old should be redone. Since there is no map showing where the consultant surveyed and where they did not, it is impossible to assess the accuracy or validity of the field studies.

O17-16

The work that was done, a survey effort taking approximately three weeks, resulted in the discovery of no new archaeological sites; only four isolated artifacts were found. There is no explanation offered for this lack of cultural resources, which must have seemed unusual given the overall site density in the project area. One explanation may be that the survey team walked transects that were up to 50 feet apart, did not survey in areas covered by vegetation, and only walked where they could access the project area "...easily and effectively". Walking 50 feet apart, sites and features could be easily missed. This transect interval is unusually wide, and not in line with professional practice. If areas are not surveyed due to heavy vegetation or difficult

O17-17

access, there should be an explanation about why the team felt that no resources were missed in those areas. This discussion is absent in both the technical report and the EIS.

O17-17

Instead of providing survey maps detailing coverage, explanations for negative survey findings, discussions of TCPs, and preservation alternatives, the technical report spends 37 pages describing the various project build alternatives. This effort should have been directed toward a better evaluation of the resources within the project area. For example, in the case of Panhe at and least one other site (ORA-1338), burials are known to be present; there is no discussion about how this fact will be handled in the impact assessment. Since Panhe was only "briefly revisited", the amount of information about this significant area that is presented in the report is very limited. The consultant apparently did not know that the site is a NAHC Sacred Lands resource.

O17-18

Summary:

The inventory does not describe the areas covered, and the survey methods seem cursory. The San Mateo Archaeological District did not receive special attention or evaluation; this is odd since Greenwood and Associates conducted test excavations in the mid-1990s and they should have detailed information on the National Register District. Perhaps this is because there was substantial controversy about the conclusions reached by the excavation project.

O17-19

Respectfully submitted,



REBECCA ROBLES
Chairperson

ENC: References Cited

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Byrd, Brian F.

1998 Re-Evaluation of the San Mateo Archaeological National Register District, San Diego County, California. ASM Affiliates, Inc.

Engelhardt, Zephyrin

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2001 Descendents of Native Communities in the Vicinity of Marine Corps Base Camp Pendleton: An Ethnohistoric Study of Luiseño and Juaneño Cultural Affiliation. Santa Barbara Museum of Natural History.

Romani, John

1981 Request for Determination of Eligibility for the San Mateo Archaeological District. Caltrans, District 7.



California Cultural Resource Preservation Alliance, Inc.

**P.O. Box 54132
Irvine, CA 92619-4132**

**An alliance of American Indian and scientific communities working for
the preservation of archaeological sites and other cultural resources.**

August 4, 2004

Transportation Corridor Agencies
Ms. Macie Cleary-Milan, Deputy Director
Environmental Planning
125 Pacifica
Irvine, CA 92618-3304

REC'D AUG 06 2004

Re: *South Orange County Transportation Infrastructure Improvement Project (SOCTIIP) Phase I Archaeological Inventory*, prepared by Greenwood and Associates and the *SOCTIIP Draft EIS/SEIR*, Executive Summary, Section 4.16 of the EIS; Section 7.17.2 of the EIS; and Section 8.16 of the EIS.

Dear Ms Cleary-Milan,

The subject document and the technical report have been reviewed on behalf of the Board of Directors of CCRPA. We find that overall, the EIS and Technical Report provide insufficient factual evidence for conclusions concerning the archaeological and cultural resources that will be destroyed by project implementation. Most disturbing is the lack of recognition of the significance of the San Mateo Archaeological National Register District. The following comments relate to the substantial issues identified as inadequately covered by the EIS.

1. The Village of Panhe: A Traditional Cultural Property, a Sacred Lands Site, and a National Register Archaeological District

The discussion of the San Mateo Archaeological National Register District, consisting of the ethnographic village and associated cultural areas of Panhe, is inadequate and deficient. Section 4.16 does not mention this National Register District, despite its significance. The discussion of sites listed on the National Register of Historic Places, and the summary tables, are misleading. The San Mateo Archaeological District is not one site, as stated in the document and tables, but consists of seven archaeological sites, each of which is a contributing element to the National Register District. Since the document measures significance of impacts for a particular alternative by the number of sites that would be impacted, minimizing the number of National Register properties is a strategy that appears to be designed to select a particular alternative.

In addition to its importance as a National Register District, the San Mateo Archaeological District is a Traditional Cultural Property (TCP). There is no discussion in the EIS about TCPs, or about the status of Panhe as a TCP. Panhe is listed by the Native American Heritage Commission as a Sacred Lands site. National Register Bulletin 38 has substantial guidance on evaluating TCPs, and should have been used by the consultant in their evaluations.

Panhe has an important cultural role in the history of California and the culture of the Juanefio. San Juan Capistrano Mission was founded in 1776; in 1778, Father Junipero Serra baptized sixteen Indians, including individuals from Panhe (Engelhardt 1922: 24). Panhe is also mentioned in the baptismal register for the mission (Engelhardt 1922: 244).

In understating and misdirecting the importance of Panhe, the EIS ignores a document prepared by Caltrans for the National Register eligibility determination of the resource. The "Request for Determination of Eligibility" for the San Mateo Archaeological District, encompassing sites ORA-22, SDI-4284, SDI-4535, and SDI-8435 (Romani 1981), provides important information about the site ignored by the EIS preparers. The report states that the District includes approximately 480,000 square meters, and that the archaeological sites have multi-component stratigraphy, a rare situation for southern California. The EIS casts some doubt in its tone and wording that this site area is Panhe, while substantial evidence exists to support this conclusion.

The Juanefio Indians believe this to be a sacred area; Greenwood and Associates (pg.4-8 through 4-9) quote Romani (1981) at length in their ethnographic section:

1. As the physical location of a village within the Juanefio traditional tribal area, it is essential evidence of their culture and has significance distinct from any scientific value it may or (because of historic disturbance) may not have.
2. A burial was discovered during construction, and was preserved essentially *in situ* by Caltrans and the Juanefio. Juanefio traditions hold places of burials to be sacred, and their beliefs do not allow for the removal of human remains or any associated personal belongings from their original place of interment. They consider it inevitable that there are additional burials on the site, increasing its sanctity.
3. Panhe was the location of the first close contact between Juanefio people and Europeans, when Spaniards of the Portola expedition camped at a spring in the vicinity during July 1769. Prior contacts had been limited by the fact that the Spanish were traveling at sea by ship. The contact event is memorialized from the white perspective as the occasion for the "first baptism in California."
4. Earliest mission records document that our people from Panhe were among the first and most numerous of the Indians to be taken from their homes for the purpose of building the mission compound and developing the ranches....The descendents of the Juanefio people from the village of Panhe who were able to survive the trauma we have can be numbered among us today...we are still here."

O18 1

The EIS categorizes ORA-22 and the other components of Panhe as "disturbed" and not intact. Since the survey team spent very little time at the site (see discussion on Resource Inventory below), the source of their information is unclear. In fact, even if this is true this would have nothing to do with the status of the district as a TCP. To quote National Register Bulletin 38: "A property may retain its traditional cultural significance even though it has been substantially modified, however."

The National Register District was recently reevaluated by Dr. Brian Byrd (Byrd 1998). He found that the District is eligible under Criteria A and D. He did not find that the site areas were badly disturbed. Regardless of the integrity of site deposits, the village area is a sacred site. The Juanefio people, including direct lineal descendents of Panhe villagers, continue to perform ceremonies and religious observances at Panhe. The known presence of burials at the site elevates its importance beyond any possibility for impact mitigation.

Summary:

None of the information about TCP values and Sacred Site status of Panhe or the significant values retained in the National Register District is mentioned in the Greenwood report or in the EIS. This omission is a major and potentially disastrous deficiency in both documents.

2. Native American Consultation

The Native American consultation process is summarized in Section ES 4.2.4 and Section 4.16.2.4. The applicant contacted the Native American Heritage Commission (NAHC), and then contacted "all tribal representatives identified by the NAHC." These representatives are not listed so it is impossible to assess the adequacy of this contact, or to document the results. The text goes further to state that no tribal member had raised "substantive issues." Again, lacking documentation of the contacts, it is not possible to evaluate which issues were discussed and dismissed by the project proponent as unimportant.

O18 2

A major error in both documents is the omission of the fact that Panhe is listed by the NAHC in the Sacred Lands file as a sacred site. This issue should have come out in the course of the consultation with the NAHC. Because the sacred site status of Panhe is unknown or ignored in the documents, all discussions of impacts and mitigation are inaccurate and incomplete. This major mistake also casts doubt on the relevance and accuracy of information on other sites discussed in these documents.

O18 3

Considering the importance of Panhe to the Juanefio, and that this importance is well known (see the above discussion and Caltrans evaluation), it is odd that the Native American consultation did not identify the village as a TCP. Furthermore, Dr. John Johnson has conducted detailed genealogical research on Panhe, and has identified individuals whose many descendents still hold Panhe sacred (Johnson and O'Neil 2001). None of this information about the Juanefio is mentioned in the Technical Report or in the EIS.

Summary:

Native American consultation did not include descendents of Panhe, nor did it recognize that the NAHC has listed it as a Sacred Lands site. Consultation should be reinitiated with knowledgeable Native American descendants from Panhe and consultants familiar with tribal issues.

O18-4

3. National Register Eligibility Evaluations

The issue of National Register eligibility, the key to Section 106 significance evaluation, is not presented clearly in the EIS. As stated above in the section on Panhe, the number of National Register listed sites is understated significantly. Seven sites constitute the San Mateo Archaeological District, not one.

O18-5

No testing for National Register eligibility was done for the EIS. Instead, determinations of eligibility were postponed to some later, unspecified time. The EIS states that a Programmatic Agreement and Treatment Plan will be prepared to address site eligibility, but it is not possible to assess potential impacts from the various alternatives without more information about the sites discussed in the EIS.

O18-6

The environmental process is meant to assist decision makers in evaluating project impacts and developing a project alternative that will have the least adverse effects on the environment. The phased approach described in the EIS seems designed to have the opposite result. With no eligibility testing done for the EIS, evaluations are deferred until the Final EIS is circulated; at that point, an alignment will have already been selected. This decision will have been based on partial and inaccurate cultural resource data, as presented in the technical report and EIS. Or, on the number of sites that would be impacted by a given alignment, regardless of the type, size, or significance of the sites. Then, data recovery will proceed on eligible resources, with no option for redesign or avoidance. This process appears to be directed toward picking a particular alignment with a minimal amount of information.

O18-7

For those sites that have been determined eligible, there is no discussion about how the project will adversely impact the qualities and values that caused those properties to be listed. Therefore, it is impossible to assess the adequacy of the mitigation measures.

O18-8

Regarding the mitigation measures themselves, it would seem premature to require data recovery when eligibility testing and impact assessment based on the alignments has not been done. In addition, there is no mention of preservation in place and avoidance as the preferred alternative. Both NEPA and CEQA state that avoidance is the preferred mitigation measure.

O18-9

Specifically, mitigation measure AR-1 should require that all sites not tested for eligibility be tested. Measure AR-1 states that only potentially eligible sites will be tested. Potential eligibility cannot be assessed based on the small amount of information and limited inventory provided by the Technical Report (see discussion below on the inventory).

O18-10

No mitigation measure provides any mitigation for TCPs. Measure AR-4, requiring "design options" near Panhe, does not address tribal or cultural issues for this resource. Since no consultation was done with the Juanefio descendants of Panhe, how can a mitigation measure be adequate?

O18-11

Summary:

The so-called phased approach to eligibility determination will result in evaluation of a pre-selected alternative without adequate information on cultural resources. Data recovery conducted at eligible resources is the only mitigation offered. No preservation mitigation measures are discussed.

O18-12

4. Impact Assessment

Section ES.6.18.1, Adverse Impacts Related to Historic and Archaeological Resources, includes a statement that gives the rationale used in the document for evaluating the level of impact from each alternative. The potential for adverse impacts of the SOCTIIP alternatives is measured "in terms of the total number of archaeological resources potentially impacted by each alternative." The number of sites impacted is not an accurate or adequate method. There may be many small sites in an alternative, and one large site in another; using the method described in the EIS, the alternative impacting the fewest sites would be automatically judged as less impactful. The EIS has used this method to downplay the importance of Panhe, grouping the seven National Register District sites into one site.

O18-13

An alarming statement is made in Section ES.6.18.3. This paragraph states that "...all the SOCTIIP build alternatives are assumed to result in potentially significant adverse impacts under CEQA related to archaeological and historic resources that cannot be mitigated to below a level of significance." With the extensive loss of cultural heritage sites throughout southern California due to decades of development, how can additional, unmitigable impacts to unique resources be acceptable? The SOCTIIP project will destroy dozens of unique archaeological and historical sites of all sizes, time periods, and types, essentially wiping out an entire landscape of cultural resources. Since this statement acknowledges that no mitigation for this impact is possible, why has the project gone forward without substantial redesign and reengineering to avoid impacts? The

O18-14

cumulative impact of this unmitigated loss on the cultural resources and TCPs of the region needs complete evaluation and a plan to avoid this loss.

O18-14

Summary:

The decision on the build alternative will be made based on the number of sites found within a particular alignment, not site significance. Unmitigable impacts to cultural resources will occur.

O18-15

5. Resource Inventory

The technical report (Greenwood and Associates 2003) and EIS state that the entire project area, encompassing all the build alternatives, was the subject of a pedestrian survey for cultural resources. The EIS states that some portion of the project area was previously surveyed. However, no survey maps are provided in the technical report to evaluate which areas were surveyed, and how long ago they were inventoried. Some of the areas may not have been surveyed for decades; because field conditions change and the science of archaeology itself has changed in terms of how artifacts and resources are recognized, surveys over five to ten years old should be redone. Since there is no map showing where the consultant surveyed and where they did not, it is impossible to assess the accuracy or validity of the field studies.

O18-16

The work that was done, a survey effort taking approximately three weeks, resulted in the discovery of no new archaeological sites; only four isolated artifacts were found. There is no explanation offered for this lack of cultural resources, which must have seemed unusual given the overall site density in the project area. One explanation may be that the survey team walked transects that were up to 50 feet apart, did not survey in areas covered by vegetation, and only walked where they could access the project area "...easily and effectively". Walking 50 feet apart, sites and features could be easily missed. This transect interval is unusually wide, and not in line with professional practice. If areas are not surveyed due to heavy vegetation or difficult access, there should be an explanation about why the team felt that no resources were missed in those areas. This discussion is absent in both the technical report and the EIS.

O18-17

Instead of providing survey maps detailing coverage, explanations for negative survey findings, discussions of TCPs, and preservation alternatives, the technical report spends 37 pages describing the various project build alternatives. This effort should have been directed toward a better evaluation of the resources within the project area. For example, in the case of Panhe at and least one other site (ORA-1338), burials are known to be present; there is no discussion about how this fact will be handled in the impact assessment. Since Panhe was only "briefly revisited", the amount of information about this significant area that is presented in the report is very limited. The consultant apparently did not know that the site is a NAHC Sacred Lands resource.

O18-8

Summary:

The inventory does not describe the areas covered, and the survey methods seem cursory. The San Mateo Archaeological District did not receive special attention or evaluation in the EIS in spite of the ready availability of detailed information on the San Mateo National Register District.

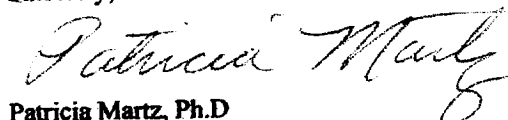
O18-9

In conclusion, these documents require much work before an informed decision can be made concerning evaluation of impacts to cultural resources. In decision making, emphasis should be on quality of resources rather than number. Much more emphasis should be given to avoiding and preserving the few important cultural resources remaining in our county rather than to mitigating damage through data recovery. Consultation with interested parties appears to be inadequate or undocumented and should be reinitiated.

O18-20

Thank you again for the opportunity to contribute to this important effort.

Sincerely,



Patricia Martz, Ph.D
President CCRPA

CC: Lawrence Rannals

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REC'D AUG 06 2004

August 6, 2004

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Re: Comments on Draft Environmental Impact Statement/Supplemental
Environmental Impact Report and Clean Water Act Section 404
Permit Application for the South Orange County Transportation
Infrastructure Improvement Project

To Whom It May Concern:

Please accept the following comments on the April 2004, Foothill/Eastern Transportation Corridor Agencies ("TCA") and Federal Highway Administration ("FHWA") Joint Draft Environmental Impact Report/Supplemental Environmental Impact Report ("DEIS/R") for the South Orange County Infrastructure Improvement Project ("SOCTIIP" or "Project") and the Clean Water Act Section 404 Permit Application before the U.S. Army Corps of Engineers ("ACOE"). The comments are made on behalf of Friends of Harbors, Beaches and Parks, a non-profit organization dedicated to the promotion, protection and enhancement of harbors, beaches, parks, trails, open spaces, natural preserves, and historical sites in Orange County. They should be read as a supplement to the comments made by Shute, Mihaly & Weinberger.

Purpose, Need, Cost, Justification

The discussion of costs is completely unacceptable. Cost estimates are extremely incomplete and undocumented. What is needed is a full disclosure of how costs were estimated, with comparison of unit costs for relevant projects and locations. Financing costs need to be added; these could easily double project cost.

O19-1

An analysis is needed that actually evaluates cost-effectiveness in order to determine whether Purpose and Need is met. In doing so a full enumeration of costs is critical. This should follow the example of the study done for the Washington, DC, Beltway by staff of FHWA HQ (Mainstreaming Pricing Alternatives in the NEPA Project Development Process (TRB Paper 03-2941, DeCorla-Souza and Skaer). This study accounted for the following in the analysis of costs and benefits:

- additional vehicle travel due to induced travel
- the cost of highway capacity construction and operation and maintenance
- the cost of construction delays for motorists
- an accounting of at least some of the costs of environmental damage and other externalities that would be caused by induced travel
- net present value calculations, accounting for the costs and benefits appropriately discounted over time in accordance with US DOT guidance
- calculation of the cost per hour of delay reduced and comparison with US DOT guidance on the appropriate value of time

O19-2

As pointed out by Shute, Mihaly and Weinberger (p. 15), the unrealistic land use assumptions for residential development not only corrupt the impacts analyses, they also raise questions about the financing. There should be a specific accounting of assumed developer fee revenue, precisely what development is needed to support that, and what will be done if less development is approved.

O19-3

Alternatives

These documents did not analyze any alternatives that would be effective or cost-effective in reducing congestion. They strained to try to show congestion benefits, with very little success. Instead, there should have been analysis of options that would actually affect congestion and do so without such huge adverse impacts and financial costs.

The DC Beltway studies (Mainstreaming cited above and Evaluation of Toll Options Using Quick-Response Analysis Tools (TRB Paper 03-2946, DeCorla-Souza)) compared conventional options of just adding new road capacity with alternatives that employ value pricing/congestion pricing. They concluded that Value Pricing alternatives reduced more delay and would save tax dollars and also provide revenue to help meet needs and that pricing alternatives tend to lower costs and increase benefits to society and in their analysis options based on or including pricing were much more cost-effective. The conventional alternatives in that case either cost more than the benefits or had very slight indicated positive net present value, while all the alternatives that included pricing had substantial positive net present values.

O19-4

Caroline Rodier's report for Shute, Mihaly and Weinberger describes extremely comprehensive and compelling evidence for the advantages of using land use, transit and pricing incentives to address congestion rather than attempting to do so through road expansions that are largely self-defeating, extremely expensive and environmentally damaging.

O19-4

A congestion surcharge has recently been implemented on the San Joaquin Hills Tollroad, further supporting the need to consider pricing alternatives, especially on I-5.

O19-5

Modeling and Induced Travel

In trying to justify the use of static trip tables a statement is made that they are "best". No explanation is made of this statement as to how or why they consider it "best". The vague arguments presented do not address in any way the critical need for accurate assessment of impacts under NEPA, CEQA, the federal Clean Air Act, etc. Static distribution may conceivably be adequate for OCTA's purposes. That does not make it adequate for meeting state and federal mandates to protect the environment, ensure that the Purpose and Need of the proposal is met, and to assure prudent expenditure of public funds.

O19-6

In the discussion of induced travel (EIS 3-10) there is a discussion of how feedback loops change the results. However, the questions addressed are not relevant to determining whether the induced travel results should be reported. For air quality purposes the critical issue is vehicle mileage traveled (VMT) and how much the difference between build and no build alternatives changes for the study area, not the I-5 alone. For project benefit the crucial question is vehicle hours of travel (VHT). For project benefit both I-5 and study area results are critical. Table 2a shows very different results from what is included in the EIS/EIR. And that only partially accounts for induced travel, since extremely unrealistic land use assumptions are made (see Rodier for extremely cogent arguments on this point).

As Rodier points out, page 2-7 attempts to justify the lack of data from the feedback runs by making a comparison of output speeds with "observed congested speeds". This does not make any sense; it's not a useful comparison. Furthermore, there is no documentation of those observed congested speeds-how they developed those numbers and what the justification is for them and what the actual speeds are they compared.

O19-7

Note also that FHWA on its web site says: "...the inducement of travel due to highway capacity expansion is an issue that needs to be and can be addressed..." (*Accounting for Induced Travel in Evaluation of Urban Highway Expansion*, <http://www.fhwa.dot.gov/steam/doc.htm>).

DKS in reports prepared for the project sponsors pointed to many of these problems: the need to include feedback loops, the problems with lack of an integrated land use model, and that actual results from the feedback analysis contradicted the claims made by project sponsors.

The discussion of modeling uncertainty is incomplete and misleading. Wherever results are presented they should include either a range of possible outcomes or an explanation of the likely degree of uncertainty. There should be a general discussion that addresses possible ranges of confidence and how they compare with projected benefits claimed. Given the very small benefits, if any, it is highly likely that uncertainty in the analysis exceeds the percentage change that is shown as a benefit in many cases.

O19-8

The analysis uses a very high value for time, \$17 per hour. US DOT recommends normally not exceeding a value of \$9 per hour. Other studies suggest it should be even lower. This would seriously affect the traffic analysis and benefit calculations. The failure of another toll road in the county indicates that serious mistakes may have been made before on this issue. The value of time should be the subject of careful analysis and documentation.

O19-9

The model used relies on OCTAM in many ways. But Table 2a shows huge differences between the SCSAM model and OCTAM (40% for miles of driving and even more for hours of travel). This raises further questions about the accuracy of the model.

O19-10

There is no good documentation on speeds. On how much VMT there is in different speed classes, on what input speeds were used and how they were developed, on how input and output speeds actually compared before and after feedback loops were employed. All this and any other data and information on the sensitivity and feedback tests should be fully documented and provided.

O19-11

Air Quality

PM-10

The EIS claims that the 150-pound per day South Coast PM-10 significance level would not be exceeded by any of the FEC alternatives during operations. However, the failure to include reentrained emissions and also induced travel results makes this statement moot. Reentrained PM-10 emissions are 9 times the emissions reported, based on the South Coast 2003 AQMP. Taking the added VMT shown by Table 2a with feedback loops alone and using average emissions per mile from the South Coast 2003 AQMP shows additional PM-10 emissions of about 1500 pounds per day; 10 times the threshold. This needs to be reevaluated after a proper analysis of PM-10 including all emissions and all the added VMT that the project would cause.

O19-12

There is a remarkable claim made that PM-10 emissions will increase but that PM-10 levels will not and that violations of state standards will not worsen (AQR 4-69, 4-70, 5-10). This defies all logic. And of course that is without accounting for most of the PM-10 emissions. Obviously any increase in emissions will increase PM-10 levels. The large emissions increases that would actually occur would increase the levels substantially, quite possibly above the federal standards.

O19-13

AQ Report Table 5-20 shows projected PM-10 levels comparing No Build and Build for FEC and succeeding tables cover other alternatives. 5-20 does not show any cases where the Build is higher, but this is obviously not meaningful since it does not include reentrained emissions and does not include the induced travel results. Inclusion of reentrained emissions also would be very likely to change predicted concentrations and possibly whether the Build case is higher. Also including the induced analysis would obviously increase the probability of Build levels being higher, since it shows VMT increasing more than without the induced results.

O19-14

The PM-10 qualitative hotspot analysis isn't. There is no analysis. The FHWA Guidance requires a logical, reasoned justification of the conclusions and analysis and data to back them up. None of those criteria have been met. Many other criteria from the guidance have also been ignored. We reference this guidance as part of these comments for inclusion in the record:

(<http://www.fhwa.dot.gov/environment/conformity/hspotmem.htm>)

They are required to follow the guidance and should specifically:

O19-15

- Conduct consultation on the analytical method and on whether violations are expected,
- discuss modes, speeds, volume, diesel vehicles including routes,
- address vehicle mix, include construction emissions in the area,
- include reentrained PM-10 and how VMT changes affect it,
- use a valid Example from the guidance if any, not Example B, which is entirely inappropriate.

NOx

There is acknowledgment that NOx significance levels would be exceeded during operation. But no mitigation is even discussed. High speeds such as these proposals are designed to encourage greatly increase NOx emissions. Mitigation should be implemented (<http://www.vtpi.org/tdm/tdm105.htm>). Reduced speeds (there is no disclosure of design speeds or intended speeds limits even included) can be accomplished in many ways.

O19-16

CO

CO receptor locations and an analysis year were used that violate EPA's regulations and Caltrans's Protocol and understate CO impacts. Information should be provided on exactly where receptors were located for each specific intersection with precise distances to the roadway edge instead of a vague map (Fig. 3-4).

O19-17

The EIS often misstates the federal conformity requirements, which include showing the project will reduce CO violations. (40 CFR 93.116 (a) and (b)).

O19-18

The induced travel numbers would indicate CO emissions higher than the EIS reports; this could increase the levels. The documents show build levels lower than no build in the Air Quality Report for many locations (e.g., p. 4-42); this could change with induced travel effects. The EIS shows a reduction of 77 pounds of CO per day for FEC. With the feedback loop information showing a greater VMT increase and using the AQMP's CO emissions per mile numbers that becomes an increase of 110 pounds/day, which would substantially change the results and almost certainly show worsening of CO levels.

O19-19

This states that they have analyzed all the intersections required by the conformity regulations (AQP 3-32). This appears not to be true; the regulations require analyzing all intersections that are or would be at LOS D, E or F (40 CFR 93.123).

O19-20

Toxics

The percent reductions of toxic emissions mentioned on page 4-76 overestimates reductions for California. Those are projected national average reductions, which do not apply. California emissions levels are much lower now, so the reduction %s will be much lower in California. If this was reflected in the calculations they need to redone.

O19-21

Page 4-77 says that there would be no negative air toxics impact because there's no substantial increase in diesel truck traffic, and there would be more free-flow conditions. If that's the case, why are there increases in diesel PM risk? Also, while it is true that once an alternative is built, emissions will decrease over time (due to fleet turnover), this doesn't necessarily mean that any alternative will result in lower emissions in the project area than currently being experienced in the no-build condition. This could be true, but VMT is also a major consideration.

O19-22

Other Air Quality Problems

There is virtually no cumulative impact assessment for air quality. This is a serious deficiency that needs to be remedied by including information on other projects and activities in the area that would cumulatively affect air pollution levels.

O19-23

The construction mitigation provided is very inadequate. Additional mitigation options that should all be included are included in a letter sent by the US EPA on a project in Washington State (see attachment).

O19-24

General Errors

On San Joaquin Hills project a serious underestimation was made of the amount of soil that had to be moved. The estimates of construction emissions for this project also may have been incorrectly estimated due to incorrect grading acreages (Schuyler Fishman, p.2). This should all be carefully reevaluated for this project. It affects costs and air pollution (fugitive dust emissions and equipment emissions) and could change other impacts as well.

O19-25

There is no evaluation of mitigation options for sprawl and land use impacts. The following should be considered:

- implementation of developer fees such those the City of Lancaster employs in its Urban Structure Program, which better allocate fees based on costs;
- more complete assessment of costs included in developer fees, especially long-term operating costs;
- adoption of zoning and policies to minimize land consumption for buildings, roads, parking, etc.;
- cutting parking minimum requirements and establishing caps in residential areas
- infill combined with cost-effective transit.

O19-26

More information about these and other measures can be found on EPA's smart growth website (<http://smartgrowth.org/Default.asp?res=1024>), and in a variety of California Air Resources Board reports and at: <http://www.vtpi.org/tdm/tdm38.htm>.

Sincerely,



Terrell Watt, AICP

ATTACHMENT

Scanned and OCR'd from:

US EPA letter to FHWA in Washington State with comments on the Preliminary Supplemental Draft Environmental Impact Statement and Section 4(f) Evaluation (pre-SDEIS) for the Southeast Issaquah Bypass.

Construction Mitigation Measures Adopted for Several Major Projects in California

A. Administrative

1. Have a Mitigation Plan that is committed to in the ROD and included in the FEIS.
2. Require reporting.
 - a. Prepare inventory of all equipment prior to construction.
 - b. Report on suitability of add-on controls for each piece of equipment before groundbreaking.**
 - c. Evaluate other engine alternatives: electric, CNG, LNG, fuel cell, alternative diesel.
 - d. Monthly, public reports by Environmental Coordinator of fulfillment of requirements
3. Suitability report subject to review by Air District, USDOT, State DOT, EPA and the public

O19-27

B. Equipment

1. Use add-on controls such as catalysts and particulate traps where suitable.
2. Use fuel with 15 ppm of sulfur or less unless unavailable.
3. Establish idling limit (e.g., 5-10 minutes per hour).
4. Tune to manufacturers' specs and do so at manufacturers' recommended frequency.
5. Prohibit any tampering with engines and require continuing adherence to manufacturers' recommendations.
6. Require that leased equipment be 1996 model or newer unless cost exceeds 110% of average lease cost.
7. Require 75% of total horsepower of owned equipment to be used to be 1996 or newer models.

C. Work limitations

1. Establish a cap on daily emissions and/or hours of work.
2. Use no more than 2 pieces of equipment simultaneously near or upwind from sensitive receptors.
3. Establish additional emissions limits within 1000 feet of any

K-12 school.

4. Provide notification to all schools within 1000 feet.
5. Reduce truck trips and/or restrict hours of driving through communities to minimize risk.

**** Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public. Such determination is to be made by the Contract Project manager (CPM) in consultation with the appropriate vendor.**

Mitigation Measures to Reduce Emissions During Construction

- Properly maintain construction equipment;
- Evaluate the use of available alternative engines and diesel fuels:
 - engines using fuel cell technology
 - electric engines
 - engines using liquified or compressed natural gas
 - diesel engines that meet the proposed EPA 2007 regulation of 0.01 g/bhp-hr (grams per brake horsepower hour)
 - diesel engines outfitted with catalyzed diesel particulate filters and fueled with low sulfur (less than 15 ppm sulfur) fuel
 - diesel engines fueled with biodiesel (diesel generated from plants rather than petroleum)
 - fueling on-site equipment, e.g., mining equipment, with lower sulfur highway diesel instead of off-road diesel fuel;
- Reduce construction-related traffic trips and unnecessary idling of equipment;
- Use newer, Cleaner construction equipment;
- Install control equipment on diesel construction equipment (particulate filters/traps (DPTs), oxidizing soot filter, oxidation catalysts, and other appropriate control devices to the greatest extent that is technically feasible.) A particulate filter (AP-trap or oxidizing soot filter) may control approximately 80% of diesel PM emissions. An oxidation catalyst reduces PM emissions by only 20%, but can reduce CO emissions by 40%, and hydrocarbon emissions by 50%. Different control devices may be used simultaneously.
- Reroute the diesel truck traffic away from communities and schools.
- Adopt a Construction Emissions Mitigation Plan (CEMP). A CEMP would help to ensure that the procedures for implementing all proposed mitigation measures are sufficiently defined to ensure a reduction in the environmental impact from diesel PM and NOx due to the project's

O19-27

construction. CEMP inclusions:

All construction-related engines are tuned to the engine Manufacturer's specifications in accordance with the time frame recommended the engine manufacturer; not idle for more than 5 minutes; not tampered with in order to increase engine horsepower; include particulate traps, oxidation catalysts and other suitable control devices on all construction equipment used at the construction site; and use diesel fuel having a sulfur content of 15 ppm or less, or other suitable alternative diesel fuel. Minimize construction-related traffic trips through appropriate policies and implementation measures.

Implement an adaptive mitigation measure program over the project's construction phase.

O19-27



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RE: Comments on DEIR/EIS for the South Orange County Transportation Infrastructure Improvement Project

Thank you for this opportunity to comment on the draft environmental impact review (DEIR) for the proposed Southern Orange County Transportation Infrastructure Improvement Project (SOCTIIP). We ask that you consider our comments, reflect upon our concerns, and ultimately reject the current DEIR as inadequate. The environmental impacts of constructing any project of this magnitude are overwhelming, these impacts are not properly analyzed in the DEIR, and the overall project is misguided.

The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and preservation of our world's oceans, waves, and beaches. Founded in 1984 by a handful of visionary surfers, the Surfrider Foundation currently maintains nearly 40,000 members in 60 chapters across the United States and Puerto Rico, with international affiliates in Australia, Europe, Japan and Brazil. Our members and chapters have an enormous amount at stake in the preservation of the beaches and coastal resources in Southern California, and we aim to ensure the enjoyment of these resources for current and future generations. The Surfrider Foundation National Office and local chapters are looking carefully at developments along the coast to ensure they don't threaten the integrity of these resources.

First, we believe the overall "purpose" and "need" cited in the DEIR for the Toll Road are misguided. The proposed Toll Road is being built upon the premise that projected increases in "housing, population, employment and inter-regional travel" will produce increased traffic; requiring "transportation infrastructure improvements". While we do not disagree that increased traffic and congestion pose problems for Southern Orange County, the alternatives presented in the DEIR offer little in the way of an effective solution. We initially requested to participate in the development of more effective alternatives but were not invited to be a part of this process.

The "need" for the proposed Toll Road is based upon a projected population increase in Southern Orange County from 481,900 residents in 2000, to 627,568 residents in 2025. These population numbers are ultimately dependent upon the development of land that the proposed Toll Road makes possible, and the Toll Road is in turn dependent upon this

O20-1

projected development to succeed. The planned Toll Road will not succeed without increased traffic or the planned housing tax for future residences. By providing access to currently inaccessible land, the proposed Toll Road will add more development, more people, and more traffic to an already overburdened area. In just one example, the development of Rancho Mission Viejo will encompass at least 14,000 residential homes connected by a vast network of roads and parking lots, and over four million feet of commercial development. A community of this size promises to add upward of 60,000 people to the area. In short, the proposed Toll Road promises to be a solution to a problem it creates. And even then it fails.

O20-1

Even utilizing the numbers provided within the Executive Summary, the Toll Road fails to provide a real solution. The Toll Road's primary goal is to reduce traffic along the I-5 Corridor. The threat of an I-5 widening has convinced many that a transportation alternative inland is necessary. But this presupposition is false. The I-5 will require expansion regardless of any alternatives. The Toll Road as presented in the DEIR will offer only a 40% reduction in the traffic growth on the I-5, leaving a 60% increase in traffic on the highway in the next 25 years. This will in turn require additional capacity on the I-5, necessitating highway widening. However, if a toll road is constructed, the "non-compete" clause currently in effect would bar the improvements suggested by the DEIR thereby, failing to address the stated need of the project. The current Transportation Corridor Authorities (TCA) Position reflected in the DEIR, that the proposed Toll Road provides an alternative to I-5 widening and a solution to I-5 traffic, is untenable. The planned Toll Road falls short of this purpose.

O20-2

O20-3

Second, the DEIR fails to adequately address the impacts of the proposed Toll Road upon local recreational and environmental resources. The planned project will have tremendous adverse impacts on the San Mateo Campground, Trestles Beach, San Onofre State Beach, and the Donna O'Neill Land Conservancy. The DEIR does not adequately account for these impacts, nor illustrate the mitigation efforts necessary to offset these impacts upon these resources.

O20-4

The San Mateo campground is nestled among the hills above both San Onofre State Park and Trestles Beach. Created as part of the mitigation efforts for the San Onofre Nuclear Power Plant, the campground is one of the few campgrounds on the California Coast within walking distance of the ocean. A beach trail winds its way down through the San Mateo Wetland Reserve to some of the most popular surf spots in the country. In essence, the proposed toll road suggests that the mitigation project for a prior development be severely impacted; this circular logic is not credible. The DEIR does not document the noise pollution from a four lane highway running adjacent to the campsites, the air pollution resulting from the traffic upon the intended freeway, or runoff from the freeway into the highway. Both of these impacts would severely inhibit the use of the campground, and in fact the State Park System has commented that the campground would be shut down if the Toll Road were to be built. The DEIR describes absolutely no mitigation to offset the loss of this campground (a mitigation project in itself), nor any alternatives for the development of another coastal campground. Thus the DEIR does not

O20-5

adequately convey the impacts of the construction of the Toll Road, nor does it provide mitigation efforts or alternatives for such construction.

O20-5

The DEIR does not adequately address the impacts that the proposed Toll Road would have upon Trestles Beach. As the State Parks have noted, "Trestles is such a vital surfing experience that for many, it is the paragon of surfing destinations and each visit is a pilgrimage." Trestles is made up of 1.5 miles of beach, and sits north of San Onofre State Park and just south of San Clemente State Park. On a good month, there are between 30-35 thousand people that visit the beach, moderated almost entirely by the natural carrying capacity of the place, and a healthy walk down its numerous paths from parking areas above. Over 300,000 people visit Trestles every year, almost all of whom travel to the beach exclusively to surf. A top notch wave, Trestles combines a strong left with one of the best right breaks on the Coast. It's a world class point break, with 300-500 meter length waves on a good day. The beach is also home to numerous surf contests, including the World Championship Tour's only contest within the continental United States, as well as the Scholastic National Championships.

The DEIR includes NO mention of the many walking and biking trails that traverse the San Onofre State Beach and San Mateo Campground, despite alignments that would run directly over existing beach access paths. Specific temporary and permanent impacts to access to the Trestles beach and San Onofre State Beach must be described.

O20-6

The DEIR is insufficient in its analysis of the impacts of construction of the Toll Road upon sediment flow or pollution within San Mateo Creek. Construction of the highway project and efforts to minimize pollution will impede this sediment flow, thereby limiting sand bar and natural beach replenishment at both San Onofre and Trestles. Efforts to minimize pollution in the area will impede sediment flow, and conversely efforts to minimize sediment impacts will permit impermissible pollution. The quality of the waves at Trestles directly relies on sediment input from San Mateo Creek. Sand budgets for this watershed must be determined and evaluated for impacts to sediment input to the nearshore waters and beaches.

O20-7

The planned Toll Road will also cut through the Donna O'Neil Land Conservancy, a conservation easement set aside specifically to mitigate the development of the 8,000 unit Talega Development. The DEIR does not make mention of the tremendous recreational resources present there, nor the noise and air pollution that will corrode this resource. The mitigation efforts proposed would do little to offset these impacts. Equally important, the DEIR makes no mention of any effort to replace this preserved area of high density ecological value. The region that the Conservancy encompasses is home to many endangered and threatened species. The Toll Road places an undue and dangerous burden upon this ecosystem, and the DEIR falls far short in addressing or mitigating this impact.

O20-8

The largely pristine San Mateo Creek Watershed is home to numerous endangered and threatened species including Steelhead Trout. A completed biological assessment must be completed prior to selection of a preferred alternative.

O20-9

In sum, the Surfrider Foundation finds the DEIR for the proposed Toll Road inadequate. The document is insufficient in addressing the impacts of the Toll Road, incomplete in its absence of adequate mitigation efforts, and in our estimation defective. We urge consideration of other alternatives to the construction of a toll road originally rejected by both the Environmental Protection Agency and the Army Corps of Engineers as well as expansion of alternatives beyond those presented in the DEIR to better address the full range of possibilities to satisfy the NEPA Purpose and Need Statement. Thank you for your time and consideration of our comments.

O20-10

Sincerely,

Christopher J. Evans, Esq.
Executive Director, Surfrider Foundation

Mark S. Cousineau, REA II
Chair, South Orange County Chapter



O20A

Surfrider Foundation

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REC'D AUG 06 2004

RE: Comments on DEIR/EIS for the South Orange County Transportation Infrastructure Improvement Project

Dear Ms. Clearly-Milan,

Thank you for this opportunity to comment on the draft environmental impact review (DEIR) for the proposed Southern Orange County Transportation Infrastructure Improvement Project (SOCTIIP). We ask that you consider our comments, reflect upon our concerns, and ultimately reject the current DEIR as inadequate. The environmental impacts of constructing any project of this magnitude are overwhelming, these impacts are not properly analyzed in the DEIR, and the overall project is misguided.

The Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and preservation of our world's oceans, waves, and beaches. Founded in 1984 by a handful of visionary surfers, the Surfrider Foundation currently maintains nearly 40,000 members in 60 chapters across the United States and Puerto Rico, with international affiliates in Australia, Europe, Japan and Brazil. Our members and chapters have an enormous amount at stake in the preservation of the beaches and coastal resources in Southern California, and we aim to ensure the enjoyment of these resources for current and future generations. The Surfrider Foundation National Office and local chapters are looking carefully at developments along the coast to ensure they don't threaten the integrity of these resources.

O20A-1

First, we believe the overall "purpose" and "need" cited in the DEIR for the Toll Road are misguided. The proposed Toll Road is being built upon the premise that projected increases in "housing, population, employment and inter-regional travel" will produce increased traffic; requiring "transportation infrastructure improvements". While we do not disagree that increased traffic and congestion pose problems for Southern Orange County, the alternatives presented in the DEIR offer little in the way of an effective solution. We initially requested to participate in the development of more effective alternatives but were not invited to be a part of this process.

The "need" for the proposed Toll Road is based upon a projected population increase in Southern Orange County from 481,900 residents in 2000, to 627,568 residents in 2025. These population numbers are ultimately dependent upon the development of land that

the proposed Toll Road makes possible, and the Toll Road is in turn dependent upon this projected development to succeed. The planned Toll Road will not succeed without increased traffic or the planned housing tax for future residences. By providing access to currently inaccessible land, the proposed Toll Road will add more development, more people, and more traffic to an already overburdened area. In just one example, the development of Rancho Mission Viejo will encompass at least 14,000 residential homes connected by a vast network of roads and parking lots, and over four million feet of commercial development. A community of this size promises to add upward of 60,000 people to the area. In short, the proposed Toll Road promises to be a solution to a problem it creates. And even then it fails.

Even utilizing the numbers provided within the Executive Summary, the Toll Road fails to provide a real solution. The Toll Road's primary goal is to reduce traffic along the I-5 Corridor. The threat of an I-5 widening has convinced many that a transportation alternative inland is necessary. But this presupposition is false. The I-5 will require expansion regardless of any alternatives. The Toll Road as presented in the DEIR will offer only a 40% reduction in the traffic growth on the I-5, leaving a 60% increase in traffic on the highway in the next 25 years. This will in turn require additional capacity on the I-5, necessitating highway widening. However, if a toll road is constructed, the "non-compete" clause currently in effect would bar the improvements suggested by the DEIR thereby, failing to address the stated need of the project. The current Transportation Corridor Authorities (TCA) Position reflected in the DEIR, that the proposed Toll Road provides an alternative to I-5 widening and a solution to I-5 traffic, is untenable. The planned Toll Road falls short of this purpose.

O20A-1

Second, the DEIR fails to adequately address the impacts of the proposed Toll Road upon local recreational and environmental resources. The planned project will have tremendous adverse impacts on the San Mateo Campground, Trestles Beach, San Onofre State Beach, and the Donna O'Neill Land Conservancy. The DEIR does not adequately account for these impacts, nor illustrate the mitigation efforts necessary to offset these impacts upon these resources.

The San Mateo campground is nestled among the hills above both San Onofre State Park and Trestles Beach. Created as part of the mitigation efforts for the San Onofre Nuclear Power Plant, the campground is one of the few campgrounds on the California Coast within walking distance of the ocean. A beach trail winds its way down through the San Mateo Wetland Reserve to some of the most popular surf spots in the country. In essence, the proposed toll road suggests that the mitigation project for a prior development be severely impacted; this circular logic is not credible. The DEIR does not document the noise pollution from a four lane highway running adjacent to the campsites, the air pollution resulting from the traffic upon the intended freeway, or runoff from the freeway into the highway. Both of these impacts would severely inhibit the use of the campground, and in fact the State Park System has commented that the campground would be shut down if the Toll Road were to be built. The DEIR describes absolutely no mitigation to offset the loss of this campground (a mitigation project in itself), nor any alternatives for the development of another coastal campground. Thus the DEIR does not

adequately convey the impacts of the construction of the Toll Road, nor does it provide mitigation efforts or alternatives for such construction.

The DEIR does not adequately address the impacts that the proposed Toll Road would have upon Trestles Beach. As the State Parks have noted, "Trestles is such a vital surfing experience that for many, it is the paragon of surfing destinations and each visit is a pilgrimage." Trestles is made up of 1.5 miles of beach, and sits north of San Onofre State Park and just south of San Clemente State Park. On a good month, there are between 30-35 thousand people that visit the beach, moderated almost entirely by the natural carrying capacity of the place, and a healthy walk down its numerous paths from parking areas above. Over 300,000 people visit Trestles every year, almost all of whom travel to the beach exclusively to surf. A top notch wave, Trestles combines a strong left with one of the best right breaks on the Coast. It's a world class point break, with 300-500 meter length waves on a good day. The beach is also home to numerous surf contests, including the World Championship Tour's only contest within the continental United States, as well as the Scholastic National Championships.

The DEIR includes NO mention of the many walking and biking trails that traverse the San Onofre State Beach and San Mateo Campground, despite alignments that would run directly over existing beach access paths. Specific temporary and permanent impacts to access to the Trestles beach and San Onofre State Beach must be described.

The DEIR is insufficient in its analysis of the impacts of construction of the Toll Road upon sediment flow or pollution within San Mateo Creek. Construction of the highway project and efforts to minimize pollution will impede this sediment flow, thereby limiting sand bar and natural beach replenishment at both San Onofre and Trestles. Efforts to minimize pollution in the area will impede sediment flow, and conversely efforts to minimize sediment impacts will permit impermissible pollution. The quality of the waves at Trestles directly relies on sediment input from San Mateo Creek. Sand budgets for this watershed must be determined and evaluated for impacts to sediment input to the nearshore waters and beaches.

The planned Toll Road will also cut through the Donna O'Neil Land Conservancy, a conservation easement set aside specifically to mitigate the development of the 8,000 unit Talega Development. The DEIR does not make mention of the tremendous recreational resources present there, nor the noise and air pollution that will corrode this resource. The mitigation efforts proposed would do little to offset these impacts. Equally important, the DEIR makes no mention of any effort to replace this preserved area of high density ecological value. The region that the Conservancy encompasses is home to many endangered and threatened species. The Toll Road places an undue and dangerous burden upon this ecosystem, and the DEIR falls far short in addressing or mitigating this impact.

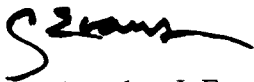
The largely pristine San Mateo Creek Watershed is home to numerous endangered and threatened species including Steelhead Trout. A completed biological assessment must be completed prior to selection of a preferred alternative.

O20A-1

In sum, the Surfrider Foundation finds the DEIR for the proposed Toll Road inadequate. The document is insufficient in addressing the impacts of the Toll Road, incomplete in its absence of adequate mitigation efforts, and in our estimation defective. We urge consideration of other alternatives to the construction of a toll road originally rejected by both the Environmental Protection Agency and the Army Corps of Engineers. Thank you for your time and consideration of our comments.

O20A-1

Sincerely,



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Re: Comments on Draft Environmental Impact Statement/Supplemental
Environmental Impact Report and Clean Water Act Section 404
Permit Application for the South Orange County Transportation
Infrastructure Improvement Project

On behalf of the Sierra Club, Endangered Habitats League, Laguna Greenbelt, Inc., the Natural Resources Defense Council, Defenders of Wildlife, and Sea and Sage Audubon Society, we are pleased to submit the following comments on the April 2004, Foothill/Eastern Transportation Corridor Agencies and Federal Highway Administration Joint Draft Environmental Impact Report/Supplemental Environmental Impact Report for the South Orange County Infrastructure Improvement Project and the Clean Water Act Section 404 Permit Application before the U.S. Army Corps of Engineers.

These comments consist of (1) this Volume I, which includes the attached comment letter and technical reports, (2) Volume II, consisting of exhibits to the comment letter, and (3) Volumes III and IV, which includes supplemental technical studies. The Exhibits and Supplemental Studies submitted herewith provide additional relevant material which should be carefully considered by you and the decisionmakers before taking action on the proposed Project.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matthew Vespa', with a long horizontal stroke extending to the right.

Matthew Vespa
SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in black ink, appearing to read 'Brian Segee', with a stylized, looped initial 'B'.

Brian Segee
DEFENDERS OF WILDLIFE

COMMENTS ON THE

**DRAFT ENVIRONMENTAL IMPACT STATEMENT/SUPPLEMENTAL
ENVIRONMENTAL IMPACT REPORT AND CLEAN WATER ACT
SECTION 404 PERMIT APPLICATION**

FOR THE

**SOUTH ORANGE COUNTY TRANSPORTATION INFRASTRUCTURE
IMPROVEMENT PROJECT**

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**Attachments, Exhibits, and
Supporting Technical Documents
to this letter are available for
review at TCA.**

**LIST OF ATTACHMENTS
REPORTS PREPARED BY EXPERT CONSULTANTS**

- A. Traffic Report
Dr. Caroline Rodier
- B. Traffic Report
Stephen Lowens
- C. Biological Resources Report
Dr. Wayne Spencer
Conservation Biology Institute
Robb Hamilton
- D. Air Quality Report
Schulyer Fishman
SBF Consulting
- E. Hazardous Waste/Water Quality Report
Matt Hagemann
Soil Water Air Protection Enterprise (SWAPE)

CD of Supporting Documentation Enclosed
- F. Public Notice for 404 Permit Report
Dr. Michael D. White
Conservation Biology Institute

Volume 2

EXHIBITS

- 1. Patrick DeCorla-Souza, Mainstreaming Pricing Alternatives in the NEPA Project Development Process (November 2002).
- 2. News articles from various news sources concerning the financial failure of the San Joaquin Toll Road Financing.
- 3. Marlon G. Boarnet, Departments of Urban and Regional Planning and Economics and Institute of Transportation Studies, New Highways, Induced Travel and Urban Growth Patterns: A "Before and After" Test (September 2002).
- 4. News articles from various sources regarding TCA Non-Compete Agreement.
- 5. Excerpts from Draft Environmental Impact Report No. 589, GPA/ZX, Sch. 2003021141 (The Ranch Plan DEIR).

6. Bent Flyvbjerg, Mette Skamris Holm, and Soren Buhl, Underestimating Costs in Public Works Project, Journal of the American Planning Association, Vol.68, No.3 (Summer 2002).
7. Heather Lourie, "Construction Firm Sues Tollway Agency," The Orange County Register (November 16, 2002).
8. California Department of Parks and Recreation, Mitigation Assessment of FTC - South Impacts on San Onofre State Beach (August 1997).
9. California Department of Parks and Recreation, Relocation Preplanning Letter Report for San Onofre State Beach (August 31, 1998).
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15. Toby Eckert, "Toll Road will not be exempt from state laws," The San Diego Union-Tribune (November 15, 2002).
16. Transportation Corridor Agencies, Statement of Intent Regarding Foothill Transportation Corridor, OSO Parkway to Interstate 5, Modified C Alignment (December 1991).
17. Agreement of Lease between State of California Department of Parks and Recreation and United States of America (September 1971).
18. The Rancho Mission Viejo Land Conservancy.

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1. South Coast Air Quality Management District, Improvement of Specific Emission Factors (BACM Project No. 1), Final Report (March 29, 1996).
2. Beier, P. 1993. Determining minimum habitat areas and habitat corridors for cougars. *Conservation Biology* 7:94-108.
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7. Forman, R.T.T., and R.D. Deblinger. 2000. The ecological road-effect zone of a Massachusetts (U.S.A) suburban highway. *Conservation Biology* 14:36-46.
8. Horn, M., M. Carlin, T.L. Eagan, M. Erickson, C. Jones, W. Loeffler, and G. Nishiyama. 1993. A regional landscape approach to maintaining biodiversity: Protected areas in Orange County and environs. Pages 69-83 in J.E. Keeley, Ed. *Interface between ecology and land development in California*. Southern California Academy of Sciences, Los Angeles, CA.
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13. Spencer, W.D.; Schaefer, C.; Dodd, S.; Montgomery, S.J.; Holland, H. 2000b. Pacific pocket mouse studies program Phase II report. Task 5, translocation receiver site study, Task 6, laboratory surrogate study, and Task 7, field surrogate study. Unpublished report prepared for Foothill/Eastern Transportation Corridor Agencies and U.S. Fish and Wildlife Service. May 2000.
14. Spencer, W.D.; Schaefer, C.; Dodd, S.; Montgomery, S.J.; Holland, H. 2001. Pacific pocket mouse studies program Phase III report. Task 5, translocation receiver site study, Task 6, laboratory surrogate study, Task 7, field surrogate study, and other associated studies. Unpublished report prepared for Foothill/Eastern Transportation Corridor Agencies and U.S. Fish and Wildlife Service. February 2001.
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16. Brylski, Phillip, Loren Hays, and Jon Avery. 1998. Recovery plan for the Pacific Pocket Mouse. Published by the U.S. Fish & Wildlife Service. September 1998

INTRODUCTION

Please accept the following comments on the April 2004, Foothill/Eastern Transportation Corridor Agencies ("TCA") and Federal Highway Administration ("FHWA") Joint Draft Environmental Impact Report/Supplemental Environmental Impact Report ("DEIS/R") for the South Orange County Infrastructure Improvement Project ("SOCTIIP" or "Project") and the Clean Water Act Section 404 Permit Application before the U.S. Army Corps of Engineers ("ACOE").¹

O21-1

The comments consist of (1) this Volume I, which includes the attached comment letter and technical reports, (2) Volume II, consisting of exhibits to the comment letter, and (3) Volumes III and IV, which includes supplemental technical studies. The Exhibits and Supplemental Studies submitted herewith provide additional relevant material which should be carefully considered by you and the decisionmakers before taking action on the proposed Project.

These comments are submitted on behalf of the Sierra Club, Endangered Habitats League ("EHL"), Laguna Greenbelt, Inc., the Natural Resources Defense Council ("NRDC"), Defenders of Wildlife ("Defenders"), and Sea and Sage Audubon Society. The Sierra Club's Friends of the Foothills project represents local residents concerned with environmental protection and innovative, forward-looking planning for growth and transportation in Southern Orange County. EHL is a non-profit organization that advocates sensitive and sustainable land use and the protection of the diverse ecosystems of Southern California. Laguna Greenbelt, Inc., is a grassroots organization in Laguna Beach, California, that has promoted the preservation and acquisition of Orange County open space for the benefit of the public since 1967. NRDC is a national non-profit organization with more than 550,000 members dedicated to protecting public health and the environment. Defenders is a national non-profit, public interest conservation organization with approximately 450,000 members and supporters, with its principal place of business in Washington, D.C. Defenders is dedicated to the protection of all native wild animals and plants in their natural communities. Sea and Sage Audubon Society is a non-profit organization based in Orange County dedicated to the conservation of natural resources and public education regarding these values.

Our comments below, and those contained in the attached technical reports, document extensive flaws in the environmental documentation for the proposed Project. Our comments identify only the tip of the iceberg: we have called to your attention only

¹ Although this documents is referred to as a "Supplemental" EIR, the original EIR for the Project was prepared well over a decade ago. In direct contravention of CEQA requirements, the DEIS/R does not even appear to state where the original EIR ("EIR No. 3") is available and can be reviewed. CEQA Guidelines § 15162(d); DEIS/R, ES/TOC-6.

O21-1

the most glaring errors and omissions and legally inadequate aspects of your documents. The mountains of complex and technical materials produced by your agencies have required us to review and comment upon a large volume of documents. As detailed below, however, the quantity of documentation does not translate into adequate coverage of the issues.

The DEIS/R purports to examine several alternatives aimed at alleviating future traffic demands on I-5. Six alternatives would extend an existing toll road southward in varying alignments. The toll road alternatives would be constructed and managed by the TCA, the agency with primary responsibility for preparing the DEIS/R. In addition to the six toll road alternatives, one alternative would widen existing arterial roadways, and another would widen I-5. Neither of these alternatives would be administered by TCA. As is obvious from a comparison of the NEPA Purpose and Need Statement, developed by multiple federal agencies, and the CEQA Objectives, developed exclusively by TCA, the project's purported aim to provide regional traffic relief conflicts with the specific agenda of TCA to extend its existing toll road southward. Regrettably, TCA's self-interest in the ultimate selection of a toll road alternative appears to have trumped CEQA and NEPA's requirements for a full and impartial analysis.

O21-2

The Far East Corridor ("FEC") Alternatives are by far the most environmentally damaging of the proposed alternatives. The FEC Alternatives would pass through vast amounts of open space and habitat of critically endangered species, and would bifurcate the Donna O'Neill Land Conservancy and San Onofre State Beach, two unique and irreplaceable resources. The severe, irreparable environmental damage these alternatives would cause requires careful environmental analysis and every possible effort to set forth feasible mitigation. Astonishingly, the DEIS/R fails to even identify many of the resources these alternatives would affect, much less analyze their impacts or propose mitigation. For example, the DEIS/R omits any discussion of the likely closure of a 161-unit campground located within San Onofre State Beach, and the abandonment of an entire subunit of this Beach by the Parks Department in the event an FEC Alternative were constructed. Equally alarming, the DEIS/R ignores the potentially significant impacts to Trestles, a world-class surfing area, by the Project's interference with natural sediment flow into San Mateo Creek.

O21-3

The impacts that are addressed in the DEIS/R are presented in such a biased and skewed format so as to undermine efforts by the public and decision-makers to understand and assess the differences among alternatives and compare the impacts to current conditions. Tables that purport to assess and compare the impacts of each alternative merely indicate whether a resource is impacted or not, without distinguishing

O21-4

the extent of this impact. As one of countless examples, the DEIS/R states that each alternative would have significant and unmitigable impacts to coastal sage scrub but fails to note that impacts from the FEC-W Alternative are over 20 times that of the I-5 Alternative. DEIS/R, Table 7.11-1. Indeed, given the immense volume of materials, an accurate portrayal of the extent of impacts from each alternative in the DEIS/R's many comparative tables is critical to enable the public and decision-makers to intelligently take into account the environmental consequences of each alternative. CEQA Guidelines § 15151. In a seeming effort to obstruct such an informed evaluation of the Project, the DEIS/R fails to provide such data.

O21-4

The DEIS/R's indifference toward Project impacts extends to its non-committal efforts at mitigation. The FEC Alternatives would bulldoze through the Donna O'Neill Land Conservancy, the San Onofre State Beach, and prime agricultural land, but the DEIS/R does not identify replacement resources nor commit to their purchase. The California Department of Parks and Recreation even prepared a detailed evaluation of mitigation necessary to offset the impacts of an FEC Alternative, yet the DEIS/R does not acknowledge this report, nor incorporate or explore the feasibility of any of its proposals.

O21-5

O21-6

The DEIS/R's utter failure to identify, analyze, and mitigate the impacts of the FEC Alternatives makes it impossible to fully comprehend the environmental impacts of these alternatives as envisioned by CEQA and NEPA. The omissions and understatements that characterize the DEIS/R's environmental analysis are all the more troubling when compounded with the DEIS/R's overstatement of the alleged benefits of these alternatives. As set forth by the independent analyses of two traffic experts, the DEIS/R traffic modeling fails to account for induced travel demand, i.e., the increase in demand caused by increases in infrastructure supply. The DEIS/R's justifications for its failure to account for induced travel demand are unavailing and unsupported by any documentation included in the DEIS/R or the technical appendices.

O21-7

Finally, the imminent financial collapse of the San Joaquin TCA and the failure of that toll road to meet its projected ridership estimates underscores the importance of detailed, accurate, and verified financial data concerning the construction and financing cost of each alternative and likely ridership prior to the selection of a preferred alternative. Indeed, cost-effectiveness and feasibility are incorporated into the NEPA Purpose and Need statement for the Project. DEIS/R at 1-17. Both logic and law dictate that this information be included in the DEIS/R, but the DEIS/R fails to provide any specificity in its cost estimates and omits any consideration of the considerable financing costs associated with public works projects of this magnitude.

O21-8

A revised DEIS/R must be prepared to remedy the DEIS/R's many deficiencies. Only by circulating such a corrected document can the public, decision-makers and affected agencies be adequately informed of the environmental repercussions of the Project.

O21-9

I. THE DEIS/R IS INADEQUATE UNDER CEQA AND NEPA.

A. TCA's CEQA Objectives for the Project Are Overly Narrow and Inconsistent with the Project Purpose Developed In Collaboration With Federal Agencies.

The Project objectives set forth under CEQA, which were developed exclusively by TCA, are exceedingly narrow and appear designed to exclude any non-FEC alternatives proposed in the DEIS/R. This approach to evaluating the Project stands in stark contrast to the Project's NEPA Purpose and Need Statement, which was developed and approved in collaboration with federal agencies, including EPA, FHWA, ACOE and FHWA ("Collaborative"). DEIS/R at 1-17. Under the NEPA Purpose and Need Statement, the purpose of the Project is simply to "provide improvements to the transportation infrastructure system that would help alleviate future traffic congestion and accommodate the need for mobility, access, goods movement and future traffic demands on I-5 and the arterial network." DEIS/R at 1-17. In addition, the overall goal is to "improve projected levels of congestion and delay as much as is feasible and cost effective." *Id.* Whether or not improved congestion is accomplished via congestions pricing, HOT lanes, land use strategies, improvements to existing roadways, the development of alternative forms of transportation, or the construction of a toll road operated by TCA, is secondary to the primary goal of congestion relief.

O21-10

The narrow Project objectives developed by TCA, in contrast, are exemplified by the objective to "[i]mplement the Orange County Master Plan of Arterial Highways by completing the transportation corridor system in south Orange County, between existing SR 241 and I-5." DEIS/R at 1-19. Only the FEC alternatives completely fulfill this objective. This objective bears no relationship to the overall purpose of cost-effective and feasible means to alleviate traffic congestion. DEIS/R at 1-16. Its only apparent purpose is to ensure that a toll road is constructed by TCA. Another objective set forth by TCA is to "[m]inimize through traffic use of the existing highway network in south Orange County by diverting traffic that cannot be accommodated on I-5 to a transportation corridor level facility rather than arterial highways." DIES/R at 1-19. Again, this objective specifically precludes the Arterial Improvements Only ("AIO") and I-5 Alternatives, and only serves to encourage the development of a toll road, rather than

aim to alleviate regional congestion as set forth under the NEPA Purpose and Need Statement. Accordingly, the CEQA objectives must be revised to more broadly reflect an intent to reduce traveler delay and variability in travel time rather than simply building additional highway capacity. See Exh. 1, DeCorla-Souza, Mainstreaming Pricing Alternatives in the NEPA Development Process, Nov. 16, 2002.

O21-10

In addition to narrowly defining project objectives, the DEIS/R arbitrarily evaluates conformity with these objectives in a manner that provides absolutely no sense of the enormous variations in the impacts from each alternative. In evaluating whether an alternative would "minimize adverse impacts to the environment," the DEIS/R asserts that each build alternative would conform to this objective even though the environmental impacts of the FEC Alternatives are vastly greater than the I-5 and AIO alternatives. DSEIR, Table 1.7-2. To provide the public and decision-makers with an accurate view of the project, the DEIS/R must be revised to identify the FEC Alternatives as failing to fulfil this objective.

O21-11

The disconnect between the objectives developed by TCA and those developed in collaboration with other agencies raises serious concerns regarding the ability of TCA to exercise its independent judgment in analyzing and evaluating the merits of the I-5 Widening and AIO alternatives. If the purpose is defined too narrowly, "only one alternative from among the environmentally benign ones in the agency's power would accomplish the goals of the agency's action, and the EIS would become a foreordained formality." Citizens Against Burlington, Inc. v. Busey, 938 F.2d 190, 196 (D.C. Cir. 1991). See Pub. Res. Code § 21082.1(c) (the lead agency shall prepare an EIR which reflects its "independent judgement"); Simmons v. United States Army Corps of Engineers, 120 F.3d 664, 669 (7th Cir. 1997) ("[a]n agency cannot restrict its analysis to those 'alternatives means by which a particular applicant can reach his goals.'" (citations omitted, emphasis added)). TCA's description and analysis of project objectives has been designed to pre-select a toll road alternative, in violation of NEPA and CEQA. The objectives should be revised to reflect the broader public purpose of the project, and recirculated in a revised DEIS/R.

O21-12

B. The DEIS/R's Traffic and Circulation Evaluation Overstates Benefits from the Toll road Alternatives and Omits Critical Information Necessary to Evaluate the DEIS/R's Conclusions.

O21-13

The enormous financial and environmental cost of the Project mandate an informative, complete, and impartial evaluation of the traffic and circulation benefits of the SOCTIIP Alternatives. In light of the failure of the San Joaquin Toll Road to meet its

projected ridership estimates and the resulting fiscal crisis now facing the San Joaquin TCA (Exh. 2), any traffic modeling for this Project must be especially thorough, unbiased, and conservative in its assumptions. Regrettably, the Project's disclosed traffic and circulation rejects this approach. As set forth in the attached expert technical reports prepared by Caroline Rodier, Ph.D. (Attach. A) and Stephen Lowens (Attach. B), which are hereby incorporated by reference, the traffic model fails to account for induced travel demand and in doing so, overstates project benefits. In addition, the DEIS/R omits critical information necessary to analyze the validity of the document's traffic and circulation conclusions, and evaluate the purported benefits from each alternative. A revised DEIS/R must correct these fatal flaws and omissions prior to any decision on a preferred alternative.

O21-13

1. The DEIS/R's Unorthodox Methodology Exaggerates Traffic Benefits From Toll road Alternatives.

By failing to represent induced travel demand in the model used to evaluate the SOCTIIP Alternatives, the DEIS/R significantly overstates the travel time benefits and underestimates the environmental costs of the toll road alternatives. As discussed in further detail in the attached expert reports, induced travel demand is generally defined as an increase in travel resulting from an improvement in the transportation system. Induced travel demand is grounded in basic principles of supply and demand. Because the creation of a new highway would increase the supply of highway capacity (and correspondingly reduce travel times), auto travel is increased, or "induced", by the reduction in travel time created by the construction of a new road. The phenomenon of induced travel demand has been repeatedly verified in the scientific literature. See Attach. A.

O21-14

The DEIS/R's traffic analysis runs counter to this well-established modeling principle. Table 4-41 of the Traffic and Circulation Technical Report indicates that the build alternatives in some scenarios would reduce both Vehicle Hours Traveled (VHT) and Vehicle Miles Traveled (VMT); the DEIS/R ignores the effect that decreased travel times have on increasing miles traveled. Attach. A. The DEIS/R's modeling results are therefore invalid.

O21-15

In justifying its failure to account for induced travel demand, which has been deemed a "best practice" for over ten years, the DEIS/R states that "the magnitude of improvement with and without feedback loops is no more than one percent of the peak hour or ADT volumes on I-5." DEIS/R at 3-10. The DEIS/R provides no technical data to support this conclusion. In fact, what information is provided clearly contradicts this

O21-16

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claim. To properly support its conclusion, a revised DEIS/R must, at a minimum, provide tables drawn from the original, unadjusted forecasts that show projected 2025 volumes at several places along I-5 with and without feedback loops. As currently presented, the dearth of data provided in the DEIS/R and the technical appendices precludes a meaningful assessment of the DEIS/R's conclusions. Santiago County Water Dist. v. County of Orange, 118 Cal.App.3d 818, 831 (1990) (an EIR must contain facts and analysis, not just an agency's bare conclusions); Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1213-14 (9th Cir. 1998) ("We do not find adequate support for the Forest Service's decision in its argument that the 3,000 page administrative record contains supporting data. The EA contains virtually no references to any material in support of or in opposition to its conclusions. That is where the Forest Service's defense of its position must be found."); 40 C.F.R. § 1502.24 ("Agencies shall insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements."); Attach. A, B.

O21-16

Indeed, John Long of DKS Associates, the independent traffic consultant retained by TCA for peer review of the Project, also indicated in memoranda to TCA that feedback loops needed to be incorporated in the traffic model to accurately represent project benefits. See John P. Long, Expanded Discussion of Induced Travel Demand, Sept. 30, 2003. Attach. B. As explained in the attached expert reports, the DEIS/R's excuses for failing to incorporate feedback loops into modeling for the Project are without merit.

O21-17

The DEIS/R's use of "static trip tables" also overestimates the benefit of build alternatives. The use of static trip tables fails to account for changes in land use and trip distribution that result from the creation of major new transportation facilities and changes in land use that result from the construction of highway alternatives. Attach. A, B. Changes in volumes due to trip distribution has been a component of traffic forecasting models since the 1950's. The representation of land use and transportation interaction is a feasible and current practice that can be accomplished by implementing a land use model that is linked or integrated with a travel demand model. Attach. A, B. The DEIS/R's failure to account for these changes in land use, which can account for 50% of induced travel, is particularly startling here considering a recent report which evaluated the land use impacts of existing TCA toll roads in Orange County. This report concluded that TCA toll roads "exerted an independent effect on employment growth in the census tracts that contained the toll highways." Exh. 3, Boarnet, New Highways, Induced Travel, and Urban Growth Patterns: A "Before and After" Test, Sept. 2002, at 27. The report further concludes:

O21-18

The population-employment growth regressions provide evidence that the toll roads altered the pattern of employment growth nearby. The toll road corridors were, controlling for other factors, low employment growth areas before the roads were built, while employment growth in the corridors typically did not differ from other areas in the county (again controlling for other factors) after the toll roads were built. Coupled with the evidence from the house price analysis, this is strong support for the hypothesis that the toll roads altered urban growth patterns in Orange County.

O21-18

Exh. 3, at 27. TCA's use of static trip tables, and its disregard for this study – which confirms the induced land use impacts from TCA's own toll roads – result in grossly inflated projections of project benefit. Indeed, courts have invalidated EIS' for toll roads based on analogous omissions. See Sierra Club, Illinois Chapter v. U.S. Dept. of Transportation, 962 F.Supp. 1037, 1040 (N.D. Ill. 1997) (invalidating EIS for using static land use forecasts).

O21-19

Apart from a desire to overstate Project benefits and understate environmental impacts, it is difficult to understand why feedback was not used in the DEIS/R. In addition to having long been considered essential to best practices, computing speeds have increased significantly and transportation planning software now includes feedback programs. Thus, the cost and difficulty of implementing feed back in travel demand models has been dramatically reduced. Many stakeholder concerns surrounding induced travel could easily and cost-effectively be addressed by using feed back. The entire traffic analysis must be revised and recirculated to account for induced traffic demand and present an accurate view of the benefits of each alternative.

O21-20

2. The Traffic Analysis Fails to Provide Critical Information Necessary for Informed Decision-making.

a. Purported Traffic Effects Cannot Be Properly Assessed as Presented.

In addition to its technical defects, the DEIS/R fails to describe the purported benefits of the built alternatives in a way that is concise and helpful to decision-makers and the public. Pub. Res. Code § 21003(b); San Franciscans for Reasonable Growth v. City & County of San Francisco, 193 Cal.App.3d 1544, 1548 (1987); Oregon Environmental Council v. Kunzman, 817 F.2d 484 (9th Cir. 1987). Although the Purpose and Need statement for the Project focuses on the benefit to I-5, the DEIS/R provides little detail regarding any such purported benefits. As discussed more fully in the

O21-21

attached expert reports, only travel and time savings are reported as differences compared to the no project alternative. See DEIS/R, Table 3.4-7, Figure 3.4-13. Where the percentage reduction in travel time is shown in relation to the no-project alternative, as in Table 3.4-10, the documentation does not make clear how destinations were selected and thus, the actual benefit of each alternative is impossible to effectively evaluate. To present information that is actually informative to the public and decision-makers, the DEIS/R must, at a minimum, include a table that shows, for each alternative, the no-project total subarea travel time, the absolute difference in travel time between each alternative and the no-project, and the percentage change between the alternative and the no-project. Attach. A, B.

O21-21

Another critical question overlooked in the DEIS/R is whether I-5 would still require widening with or without construction of a toll road. The DEIS/R fails to discuss whether any marginal benefit to I-5 from the construction of an FEC Alternative would reduce congestion of I-5 such that future widening would no longer be necessary.

O21-22

b. Vague and Undisclosed Traffic Forecast Assumptions Preclude a Proper Analysis of the DEIS/R's Traffic and Circulation Conclusions.

The limited information presented in the DEIS/R and the Traffic Technical Report precludes a full evaluation of the modeling used to assess purported Project benefits and a comprehensive review of the assumptions used in DEIS/R's Traffic and Circulation analysis. In order for the public to be able to evaluate the model's representation of induced travel and the validity of the feedback process, a revised DEIS/R must provide VMT, VMT by speed, VHT, lane miles, documentation of convergence, and elasticity of VMT to VHT and lanes miles for each alternative. VMT, VHT by speed, and VHT must also be presented with induced travel accounted for. The DEIS/R failure to provide adequate information is discussed more fully in the attached expert technical reports. Attach. A, B. Please respond to these concerns, as well as the all other deficiencies described in these reports.

O21-23

c. A Revised DEIS/R Must Clarify the Non-Competition Agreement Between TCA and Caltrans.

As stated in the NEPA Purpose and Need Statement, the goal of the Project is to "improve projected levels of congestion and delay as much as is feasible and cost effective." DEIS/R at 1-17. In passing, the DEIS/R notes that a non-competition agreement, which is not included in the DEIS/R, exists between Caltrans and TCA

O21-24

whereby Caltrans is severely limited in its ability to develop highways in the vicinity of the toll road. DEIS/R at 2-25. Ironically, this agreement encourages traffic congestion in order for TCA to generate revenue to meet bond payments. Indeed, this non-compete agreement has already affected the OCTA and Caltrans' ability to implement traffic congestion measures. Exh. 4. A revised DEIS/R must analyze how construction of additional toll roads would further impede Caltrans' ability to initiate congestion relieving projects. A revised DEIS/R must also explain and analyze whether the I-5 Widening alternative is implicated by this agreement.

O21-24

3. The I-5 Widening Alternative is Defined So As To Prevent A Meaningful Comparison with Other Alternatives.

As more fully set forth in the attached report by Stephen Lowens, the I-5 Widening Alternative is significantly longer than the other build alternatives. See Attach. B. The toll road alternatives only go as far north as Oso Parkway, whereas the I-5 Alternative proceeds as far as the I-5/I-405 junction. The extended length of the I-5 Alternative as defined seriously disadvantages this alternative with respect to the costs of other alternatives. There is no indication that a widening project of this magnitude is necessary, or that a more targeted widening program could not achieve comparable benefits. For a more meaningful and fair comparison, a modified I-5 Alternative should be evaluated with a segment length necessary to meeting SOCTIIP congestion relief purposes but not in excess of such length.

O21-25

4. The OCP-2000 Estimates Used in the DEIS/R Overstate Future Traffic Conditions.

On-the-ground experience raises serious concerns as to the validity of OCP-2000 estimates. The drastic disconnect between OCP-2000 estimates and the actual development capacity of the region is exemplified by the treatment of the Rancho Mission Viejo ("RMV") project. OCP-2000 estimated that 21,000 dwelling units ("dus") would be developed on the RMV project site. DEIS/R at 2-9. However, the site is currently designated for a maximum of 6,250 units under the current General Plan. The developer of the RMV property has proposed a zone change that would allow for up to 14,000 dus, far less than assumed for the OCP-2000 estimate. Id. Moreover, given the significant environmental impacts of such a large-scale development, there is no indication that the 14,000 dus sought will be approved.

O21-26

The DEIS/R itself acknowledges that OCP-2000 assumptions are unrealistic based on the current RMV proposal, yet the DEIS/R nonetheless opts to model future

traffic demand based on the exaggerated OCP-2000 predictions. The DEIS/R's evaluation of the No Action Alternative is limited to the OCP-2000 estimates and the projections as modified to account for the current RMV proposal of 14,000 dus, which itself exceeds existing General Plan limitations by close to 8,000 dus. DEIS/R at 2-12, 2-13. To more accurately characterize potential No Action Alternative scenarios, the DEIS/R must evaluate a No Action Alternative which considers full build-out of all proposed MPAH and RTP improvements and RMV development up to existing General Plan limits. By overstating the potential for development, the DEIS/R overstates the potential for future congestion and the potential benefit of the proposed project.

O21-26

The Traffic and Circulation Technical report states that "it is expected that Caltrans and the local jurisdictions in the SOCTIIP study area will identify and implement interchange and ramp improvements on I-5 by 2025 in response to demand and peak period deficiencies." Traffic and Circulation Report, at I-4. Despite this expectation, the DEIS/R does not incorporate these potential improvements into its buildout scenario, which would further reduced projected future traffic congestion.

O21-27

The DEIS/R's use of OCP-2000 estimates of 21,000 dus on the RMV property extends to its analysis of traffic scenarios. DEIS/R at 3-21. This scenario should also be replaced with one which contemplates only 6,250 dus on the RMV property. Not only is this scenario more realistic, but it also provides a means to assess the traffic impacts from the RMV proposal.

O21-28

The contrast between OCP-2000 levels and either no development or development limited to existing General Plan levels on the RMV site is striking. As stated in the DEIS/R, the 21,000 dus contemplated under the OCP-2000 projections would result in 237,000 average daily traffic ("ADT"), 14,000 dus would result in 184,100 ADT, the 6,250 under the existing general plan would result in only 54,500 ADT. DEIS/R at 3-70. These lower development levels will produce significantly less congestion in 2025, thereby reducing or eliminating the demand for congestion relief on I-5 and local arterial streets.

O21-29

C. The DEIS/R Fails to Adequately Describe the Project's Environmental Setting.

An EIR's description of a project's environmental setting plays a critical part in all of the subsequent parts of the EIR because it provides "the baseline physical conditions by which a lead agency determines whether an impact is significant." CEQA Guidelines § 15125(a). Similarly, under NEPA, an EIS must "describe the environment

O21-30

of the area(s) to be affected or created by the alternatives under consideration.” 40 C.F.R. § 1502.15. “Knowledge of the regional setting is critical to the assessment of environmental impacts.” CEQA Guidelines § 15125 (c). As set forth in comments on impacts to specific resources, the DEIR’s failure to adequately describe the Project’s environmental setting, including air, biological, recreational, noise, and visual resources, and hazardous materials, undercuts the legitimacy and value of the entire DEIS/R.

CEQA further requires that special emphasis “be placed on environmental resources that are rare or unique to that region and would be affected by the project.” Guidelines § 15125(b). In but one of many striking examples of the DEIS/R’s inadequacy, the DEIS/R omits any written description of the recreational resources in the Project area and instead relies on tables and figures which do not convey any sense of their unique character. See DEIS/R at 4.25-2. Information regarding existing recreational resources is plainly available. See Exh. 5, § 4.12. For example, in the case of San Onofre State Beach, rather than merely provide an aerial map, the EIR for the RMV proposal devotes a full page to describe the Beach. This description is part states:

San Mateo Canyon, where San Onofre State Beach is located, is the last remaining undeveloped coastal canyon southerly of Crystal Cove State Park available for public recreational use. Its value as a recreational resources stems from the relative lack of urban development.

See Exh. 5, § 4.12. The DEIS/R’s repeated failure, documented more fully below, to even identify the rare and unique resources threatened by the Project renders the DEIS/R inadequate as a matter of law. Bozung v. Local Agency Formation Comm’n, 13 Cal.3d 263, 283 (1975) (an EIR must describe “environmental resources peculiar to the region.”); Idaho Sporting Congress v. Thomas, 137 F.3d 1146 (9th Cir. 1998) (under 40 C.F.R. § 1502.24 agencies have duty to disclose environmental resources of affected area such as sensitive wildlife and water quality).

D. The DEIS/R’s Project Description is Inadequate.

The DEIS/R provides a legally inadequate analysis of the potential impacts of the project because it is based on an incomplete project description. “An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR.” County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 192-93 (1977); Montgomery v. Ellis, 364 F. Supp. 517 (N.D. Ala. 1973) (“Perhaps the most obvious deficiency in the EIS is failure adequately to describe the proposed channel project.”). Here, the DEIS/R has opted to present the project as a series of potential

O21-30

O21-31

alternatives, each of which is purported to be given equal consideration. However, the DEIS/R glosses over critical components of each project alternative, making it impossible to accurately assess project impacts.

O21-31

1. The DEIS/R Must Fully Describe the Cost and Economic Feasibility of Each Alternative.

The Purpose and Need Statement developed by the member federal agencies specifically calls for an evaluation of the cost effectiveness of any proposed alternative. DEIS/R at 1-17. Indeed, the cost effectiveness and economic viability of any proposed project alternative is especially important in light of the imminent failure of the San Joaquin Transportation Corridor Agency ("San Joaquin TCA"), which oversees the San Joaquin Toll Road, to meet its bond payment obligations. See Exh. 2. The San Joaquin TCA experience raises serious concerns over the economic feasibility of any toll road alternative. The controversial history of toll road financing in Orange County, the importance of economic feasibility in the selection of an alternative, and the incorporation of economic considerations into the DEIS/R's Purpose and Need statement, require that the DEIS/R elaborate on the total cost and financing for each proposed alternative.

O21-32

The DEIS/R's current description of the cost of each alternative is limited to a lump sum total for construction and right-of-way costs. See DEIS/R at 2-105. At a minimum, a revised DEIS/R must provide a table which breaks down the specific costs of each SOCTIIP Alternative, including the cost set aside for environmental mitigation, and describe the methodology by which these costs were calculated.² See Utahns for a Better Transportation v. United States DOT, 305 F.3d 1152, 1165-66 (10th Cir. 2002) (FEIS inadequate to meet NEPA goals of informed decision-making and public comment where no cost methodology included); City of Fremont v. San Francisco Bay Area Rapid Transit, 34 Cal.App.4th 1780, 1878 (1995) ("BART logically chose to summarize the cost information in a series of tables which break the costs associated with each route alternative and design element into its individual components.").

Financing of toll road alternatives is dependent on toll road revenue and development impact fees. The DEIS/R must provide information regarding the projected revenue and financing of each alternative. As discussed more fully in attached comments

O21-33

² As discussed in section VI, the Major Investment Study prepared in 1996, which provides a general breakdown of project costs, is outdated and of limited scope. Accordingly, it cannot be relied on for financial information in the DEIS/R.

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by Stephen Lowens, a traffic engineer with 30 years of experience, the failure to provide cost data and integrate an economic analysis of the tolls assumed in the traffic forecasting makes it impossible to evaluate feasibility and cost-effectiveness of each Alternative. See Attach. B. The enormous environmental cost associated with the San Joaquin toll road coupled with its failure to meet ridership estimates and projected revenue demonstrates the importance of accurate and complete cost/benefit analyses early in the review process to determine whether a proposed road, which may not be financially feasible, is worth its grave environmental costs.

O21-33

The importance of detailed disclosure of project financing and construction costs for public review is highlighted by a recent study published in the Journal of the American Planning Association which indicates that costs of transportation projects are underestimated in almost 9 out of 10 projects. Exh. 6 at 290. For road projects, actual costs are on average 20% higher than estimated costs. Id. This report concluded that the reason for this underestimation is attributed to "strategic misrepresentation, i.e. lying" in order to secure approval and commence project construction. To provide an indication of the reliability of TCA's cost estimate for the proposed Project, the DEIS/R should provide data concerning the difference between projected and actual costs of construction of the San Joaquin and Foothill/Eastern toll roads. Indeed, past experience with the San Joaquin Toll Road suggests that the San Joaquin TCA's severe underestimation of the amount of soil that had to be removed to complete the project resulted in cost overruns of "millions of extra dollars to deal with 135,543 cubic yards of excess soil." Exh. 7. Cost effectiveness is a fundamental factor in deciding which alternative to approve. Accordingly, such cost estimates, as well as associated financing costs, must be set forth for public scrutiny prior to any decision on a preferred alternative.

O21-34

A revised DEIS/R must also clarify the connection between the RMV development and the viability of the toll road alternatives. Although the DEIS/R goes to great lengths to argue that each project is independent of the other (see DEIS/R at 6-26), funding for the toll road is dependent on development impact fees from future developments in the "zone of benefit" of the toll road. Presumably, the development fees and toll revenue generated from the 14,000 proposed dus under the RMV development, which the FEC alternatives would pass through, is critical to investor backing of the bonds needed to finance the FEC alternatives. The dependency of the toll road alternatives on inflated projections of future development is a potential growth-inducing impact of the project which must be disclosed.

O21-35

O21-36

2. The DEIS/R Fails to Adequately Set Forth the Location, Boundaries and Design of Each Alternative.

CEQA Guidelines Section 15124(a) requires that "[t]he precise boundaries of the proposed project shall be shown on a detailed map, preferably topographic." Rather than provide a topographic map to illustrate the proposed project route as it passes through the various hills and canyons of the project area, the DEIS/R opts for grainy aerial photos to describe the project routes. See Project Alternatives Technical Report, v. II. Especially in this case, where an assessment of slope, grading and runoff impacts are essential to an informed view of the various alternatives, a revised DEIS/R must provide a clearer presentation of the terrain the alternatives pass through. This information, as well as other visual representations of the project not included in the DEIS/R, were part of EIR No. 3 and must be included for the alignments in the DEIS/R. See EIR No. 3, Exhibit 3-7a, Exhibit 4-9.

O21-37

The DEIS/R's failure to provide a clear picture of proposed alternative routes prevents an understanding of project impacts. For example, it is unclear exactly where and how the FEC Alternatives would merge onto I-5. Specific details for the I-5 merger are needed to assess how the FEC Alternatives will affect the San Onofre State Beach, old Highway 101, and access to Trestles Beach. The DEIS/R fails to provide sufficient project detail of the alignment and design of this crucial component of the FEC Alternatives to fully understand project impacts on these park resources. An understanding of the extent of these impacts is required for informed consideration of the environmental costs of the FEC Alternatives. Accordingly, such detail cannot be deferred until after the selection of a preferred alternative.

O21-38

E. The DEIS/R Fails to Analyze and Mitigate the Project's Significant Environmental Impacts.

CEQA requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. CEQA Guidelines § 15151. The document should provide a sufficient degree of analysis to inform the public about the proposed project's adverse environmental impacts and to allow decision-makers to make intelligent judgments. Id. Consistent with this requirement, the information regarding the project's impacts must be "painstakingly ferreted out." Environmental Planning and Information Council of Western El Dorado County v. County of El Dorado, 131 Cal.App.3d 350, 357 (1982).

O21-39

Meaningful analysis of impacts effectuates one of CEQA's and NEPA's fundamental purposes: to "inform the public and responsible officials of the

environmental consequences of their decisions before they are made.” Laurel Heights II, 6 Cal.4th at 1123. Similarly, “NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality.” 40 C.F.R. § 1500.1 (b). To accomplish this purpose, an EIR must contain facts and analysis, not just an agency’s bare conclusions. Santiago County Water Dist. v. County of Orange, 118 Cal.App.3d 818, 831 (1990). An agency may not defer its assessment of important environmental impacts until after the project is approved. Sundstrom, 202 Cal.App.3d at 306-07. As documented below, the DEIS/R fails to identify, analyze, or support with substantial evidence its conclusions regarding the Project’s significant environmental impacts. Moreover, where impacts are identified as significant, the DEIS/R fails to evaluate how adverse these impacts will be. Santiago County Water Dist., 118 Cal.App.3d at 831.

“Once a significant effect has been identified, the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified.” Napa Citizens for Honest Gov’t v. Napa County Bd. of Supervisors, 91 Cal.App.4th 342, 360 (2001); Robertson v. Methow Valley Citizens Council, 490 U.S. 332 (1989) (requirement that agency discuss mitigation measures is implicit in “NEPA’s demand” and CEQA regulations). In disregard of the enormity of project impacts, particularly from the FEC Alternatives, the DEIS/R ignores its obligation to provide concrete and enforceable mitigation measures to mitigate the many significant and unavoidable project impacts to the extent feasible. CEQA requires that agencies “mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” Pub. Resources Code § 21002.1(b). Mitigation of a project’s significant environmental impacts is one of the “most important” functions of CEQA. Sierra Club v. Gilroy City Council, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the “policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects.” Pub. Res. Code § 21002; Laurel Heights Improvement Ass’n v. Regents, 47 Cal.3d 376, 400-401 (1988) (Laurel Heights I).

1. The DEIS/R Fails to Adequately Analyze and Mitigate Impacts to Biological Resources.

Comments on the DEIS/R’s treatment of the Project’s significant impacts to biological resources are included in the attached expert report prepared by Dr. Wayne Spencer of Conservation Biology Institute and biologist Robb Hamilton, which is hereby

incorporated by reference. Attach. C. As detailed in this report, the Project would have numerous significant biological impacts and fails to consider numerous potentially feasible mitigation measures for these impacts. Accordingly, a revised SEIR/S must be prepared to fully analyze and disclose these impacts and to propose and evaluate feasible mitigation measures for each significant impact. Several key conclusions from this report are summarized below.

O21-39

Consistent with the DEIS/R's misleading approach, the biological resources impacts analysis repeatedly seeks to minimize the extent of significant impacts associated with the FEC Alternatives. As just one example, in the evaluation of CEQA's Findings of Significance, Table 7.1-11 gives no indication that the A7-FEC-M alignment would impact *over 2300 times* more oak woodland than the I-5 Alternative. By contrast, Table 7.2-1 provides detailed analysis of the purported capacity of each alternative to alleviate traffic at specific intersections. By refusing to clearly differentiate between the hugely disparate impacts associated with the FEC and the remaining alternatives, the DEIS/R runs afoul of CEQA's fundamental informational purpose.

O21-40

The DEIS/R's willingness to deviate from established conservation principles in evaluating impacts to the critically endangered Pacific pocket mouse is particularly alarming. As Principle Investigator for research to aid recovery of the Pacific pocket mouse, Dr. Spencer determined that the DEIS/R does not acknowledge or adequately address impacts to this critically endangered species. Habitat restoration and genetic interchange between the San Mateo North and San Mateo South populations of Pacific pocket mouse are critical to species survival. The FEC alignments would cut through these two closely related populations, eliminating any realistic hope of interbreeding, and destroying the potential for future habitat restoration, which is essential for long-term species survival. Despite these devastating impacts, the DEIS/R astonishingly concludes that "impacts to the Pacific pocket mouse (PPM) have been *completely* avoided by shifting alignments away from the PPM habitat and limiting the grading in the area by the use of retaining walls." This arbitrary and unsupported conclusion flies in the face of well-established principles of conservation biology and overwhelming scientific evidence, including data from TCA-funded studies on the PPM which the DEIS/R fails to reference. Attach. C; Supplemental Studies.

O21-41

The DEIS/R's flawed approach to analyzing impacts to the endangered Pacific pocket mouse extends to numerous other sensitive biological resources such as the Golden eagle, the Long-eared owl, the American badger, the mountain lion, and the Tricolored blackbird. Attach. C.

O21-42

The DEIS/R also fails to provide a biologically meaningful assessment of fragmentation impacts. In varying degree, the FEC Alternatives would cut through what is now contiguous habitat, with the FEC-M Alignments being most severe. Rather than actually analyze fragmentation effects on species of concern, the DEIS/R merely provides the acreage of vegetation communities falling on either side of the proposed Alternative to an arbitrary political boundary. To provide meaningful and understandable information of project impacts, a revised DEIS/R must look at the continued viability of species of concern on either side of a proposed alignment, with or without functional wildlife corridors to facilitate movement. O21-43

Proposed mitigation measures are deferred and deficient. Indeed, the DEIS/R's failure to provide any detail with regard to mitigation locations and methods precludes informed and meaningful public review. Infirmities with specific measures are described in detail in the attached expert report. Attach. C. O21-44

2. The DEIS/R Fails to Adequately Analyze and Mitigate Impacts to Air Quality.

Comments on the DEIS/R's treatment of the Project's significant air quality and impacts are included in the attached expert technical report prepared by Schuyler Fishman, which is hereby incorporated by reference. Attach. D. As detailed in this report, the Project would have numerous significant air quality impacts and fails to consider numerous potentially feasible mitigation measures for these impacts. Accordingly, a revised DEIS/R must be prepared to fully analyze and disclose these impacts and to propose and evaluate feasible mitigation measures for each significant impact. O21-45

As detailed in Ms. Fishman's report, the DEIS/R's failure to account for induced travel demand results in a significant understatement of air quality impacts. In addition, the DEIS/R fails to follow the required procedures for analyzing air quality impacts, particularly PM-10, and appears almost certain to contribute to violations of PM-10 and CO standards. This violates the Clean Air Act conformity provisions under Sec. 176(c) of the Clean Air Act for CO hotspots and PM-10. 42 U.S.C. § 7506. These two extraordinarily serious defects render the air quality analyses entirely unsatisfactory. O21-46

3. The DEIS/R Fails to Adequately Analyze and Mitigate Impacts to Recreational/Pedestrian and Bicycle Facilities.³

Although the SOCTIIP Alternatives would irrevocably destroy several unique and irreplaceable recreational resources and indirectly impact numerous others, the DEIS/R glosses over the Project's countless recreational impacts. Even those impacts that are described are presented in a vague and convoluted format that preclude a meaningful comparison and evaluation of the impacts from each Alternative. A revised and recirculated DEIS/R must remedy these deficiencies.

O21-47

a. San Onofre State Beach

The FEC Alternatives propose to run directly through the San Onofre State Beach ("SOSB"). Although these alternatives would destroy many of SOSB's recreational uses, the DEIS/R fails to even acknowledge these impacts. The Recreational Resources Technical Report vaguely concludes that the fragmentation of SOSB will be "adverse" (Recreational Technical Report at 5-2) due to the acquisition of close to 400 acres required for construction of the FEC alternatives, but the DEIS/R fails to analyze the repercussions of this impact. Merely calling an impact "adverse" without further information as to the ramifications of the impact, falls far short of CEQA's and NEPA's informational purpose. Guidelines § 15150; Santiago Water Dist., 118 Cal.App.3d at 832; Blue Mountains Biodiversity Project, 161 F.3d at 1213 ("We have warned that "general statements about "possible" effects and "some risk" do not constitute a "hard look" absent a justification regarding why more definitive information could not be provided."). The FEC Alternatives would bifurcate the Cristianitos Subunit of SOSB and destroy the viability of the San Mateo Campground as well as the trail connecting the Campground with Trestles Beach. In addition, the likely removal of old U.S. 101 to allow for the merger of the FEC Alternative into I-5 would eliminate a key connector of the SOSB's various subunits.

O21-48

The failure of the DEIS/R to adequately analyze impacts to SOSB is especially glaring in light of two detailed reports prepared by the Parks Department questioning the original impacts analysis for alignments through SOSB and proposing

O21-49

³ Although the DEIS/R treats recreational impacts separately from pedestrian and bicycle impacts, due to their substantial overlap, this letter combines its comments under one heading.

specific mitigation to address these impacts. See Exhs. 8 & 9. None of the issues and concerns raised in these reports are addressed in the DEIS/R.

O21-49

(1) San Mateo Campground

The DEIS/R fails to identify or discuss impacts to the San Mateo Campground. This campground provides 161 drive-in campsites and received over 78,000 visitors in 1997. Exh. 8, Appendix D. Despite the popularity of this resource, the DEIS/R's description of the amenities within the San Cristianitos Subunit of SOSB, where the San Mateo Campground is located, is limited to "open space." There is no mention of camping facilities. DEIS/R at 4.25-58. Equally alarming, the DEIS/R fails to include the San Mateo Campground in its Recreation Resources Map (see Figure 4.25-10). The DEIS/R's stunning failure to account for this invaluable recreational resource constitutes a failure to adequately describe the environmental setting of the Project in compliance with CEQA. San Joaquin Raptor/Wildlife Center v. Stanislaus County, 27 Cal.App.4th 713, 728 (1994); see also Friends of the Eel River v. Sonoma County Water Agency, 108 Cal.App.4th 859, 874 (2003) ("incomplete description of the Project's environmental setting fails to set the stage for a discussion of" significant effects).

O21-50

As a consequence of the DEIS/R's failure to even acknowledge the campground's existence in its recreational impacts analysis, the DEIS/R fails to indicate the distance of the campground from the proposed FEC alternatives. DEIS/R at 4.25-63. The FEC alternatives would run along the entire length of the Cristianitos Subunit of SOSB where the San Mateo Campground is situated. This subunit is a narrow strip of land that cannot accommodate both a campground and a major freeway. Serene and bucolic, the San Mateo Campground area is an increasingly rare respite from surrounding urban development. The noise and visual blight associated with a 4- to 8- lane freeway, with or without a soundwall, would eliminate constructive use of the Cristianitos Subunit as a camping site. Indeed, should an FEC Alternative be built, the Department of Parks and Recreation has indicated that it will have to abandon Subunit #1 of SOSB, where the Campground is located. See Exh. 8, at 6 (Mitigation Assessment of FTC-South Impacts on San Onofre State Beach, August 1997). Although TCA is presumably aware of the mitigation report prepared by the Parks Department, the DEIS/R omits any discussion of the likelihood that the Campground would be abandoned in the event an FEC Alternative is built.

O21-51

O21-52

A proper impacts assessment should also identify the demand for other regional campsites and their usage in order to gauge the impact of the loss of San Mateo Campground on those sites. The loss of the San Mateo Campground could drastically

O21-53

increase the reservation waiting periods for these areas and further limit future camping opportunities within walking distance of the coast. Moreover, neither the recreational nor the socioeconomic impacts section recognize the Campground's importance as a low-income recreational opportunity. Without the Campground, visitors would have no recourse but to stay in more costly hotel accommodations or more likely, cease overnight visits to the area altogether.

O21-53

(2) Trails

Several trails in SOSB run under and adjacent to I-5 and appear to be directly in the path of the FEC Alternatives. DEIS/R at 4.5-13. However, typical of the DEIS/R's convoluted presentation of project impacts, the DEIS/R fails to overlay the proposed FEC routes with existing and proposed trails in order to provide a clear understanding of the extent to which the Project would impact these trails.⁴ Moreover, the DEIS/R does not even acknowledge that the FEC Alignment as well as the proposed interchange onto I-5 would pass directly over the length of existing trails, which connect the San Mateo Campground to Trestles Beach. See DEIS/R at 4.5-17 (noting impacts only to proposed San Juan Creek Trail Extension and proposed Cristianitos Trail); Recreational Resources Technical Appendix, A-33. Thus, in addition to rendering the San Mateo Campground unviable, the FEC Alternatives would eliminate its most treasured amenity – the ability to hike to the beach from the campground. The DEIS/R fails to recognize this significant impact from the loss of this unique recreational opportunity.

O21-54

⁴ Indeed, the DEIS/R's failure to illustrate how proposed alignments would interrupt existing and proposed trails extends to the entire Project area. To accurately and clearly provide a sense of project impacts to these resources, a revised DEIS/R must visually overlay proposed alignments with all existing and proposed trails. As currently set forth, the DEIS/R's brief and vague verbal description falls far short of CEQA's requirement to provide "[a]n accurate, stable, and finite project description." County of Inyo v. City of Los Angeles, 71 Cal.App.3d 185, 192-93 (1977). See, e.g., DEIS/R at 4.5-13 (stating only that the "FEC-M Alternative will cross the alignments of the proposed San Juan Creek Trail extension" without providing indication of where crossing would occur and what mitigation would look like). Burying any such critical information in the DEIS/R's technical appendix fails to conform to CEQA's informational requirements. See Pub. Res. Code § 21003(b).

Trestles Beach, a world-class surfing location, located at SOSB Trestles Subunit 2, is one of the only beaches in Southern California that users must hike into. In 1997, Trestles received close to 300,000 visitors. Exh. 8, Appendix D. To access the beach, visitors park on the north side of I-5 and walk down a paved trail under the I-5 to access Upper Trestles. Lower Trestles is accessed by following the old U.S. 101, which is closed to vehicular traffic and runs directly parallel to the south (ocean) side of I-5. These trails are the only direct access to Trestles. Old U.S. 101 is used by many local bicyclists, joggers, and pedestrians, but the DEIS/R ignores any discussion of impacts to this invaluable recreational resource.

O21-55

Despite the critical importance of these trails, the DEIS/R fails to describe the FEC alignment in sufficient detail so as to assess the impacts of the FEC alternatives. County of Inyo v. City of Los Angeles, 71 Cal.App.3d at 192-93. Because of the enormous potential for the FEC Alternatives to impact coastal resources, this analysis cannot be deferred until after the selection of a preferred alignment. However, from as much as can be garnered from the a map in the Recreational Resources Technical Report, the FEC Alternatives would appear to pass directly over old U.S. 101 and the access point to Trestles. See Recreational Resources Technical Report, A-33, Page 5 of 5. A revised DEIS/R must analyze the extent to which old U.S. 101 will be impacted, and its subsequent impacts on access to Trestles.

O21-56

Moreover, even in the unlikely event that Trestles Beach could still be accessed following construction of an FEC Alternative, this would certainly not be the case during construction of the FEC Alternatives. A revised DEIS/R must evaluate the extent and duration that construction would limit access to Trestles.

O21-57

(3) Beach for Surfing

The DEIS/R's failure to even acknowledge the many recreational resources impacted by the FEC Alternatives extends to the world-class surf sites along the coastline where San Mateo Creek meets the ocean. Lower Trestles, at the mouth of San Mateo Creek is renown among surfers as a "jewel of a wave ... Mother Nature's gift to Orange County's surf-starved waveriders" and the "Yosemite of Surfing," according to the Surfrider Foundation. Exh. 10. It has been widely recognized as one of the premier high-performance surfing location on mainland US with waves of perfect shape known to surfers across the globe. In addition to Lower Trestles, the two mile stretch of San Onofre State Park includes a number of other surf spots including, from north to south, Cottons Point, Upper Trestles, and Oldman's. Despite the site's regional, if not world-class importance, and close proximity to the FEC Alternatives, the DEIS/R utterly fails to

O21-58

describe this resource, contravening CEQA's most basic requirement to provide "a description of the physical environmental conditions in the vicinity of the project" with an emphasis on "resources rare or unique to the region." CEQA Guidelines §§ 15125(a), (c). O21-58

Because the DEIS/R does not even identify Trestles as a recreational resource, it correspondingly fails to analyze and mitigate any impacts from the Project. As more fully set forth in the attached expert technical report by Matthew Hagemann, Attach. E, hereby incorporated by reference, the project's proposed construction of extended sediment basins (EDBs), are specifically designed to allow sediment and particulates to settle out of suspension. The EDBs would remove the natural sediment supply that nourishes the coast, and creates the conditions that foster the world-class surfing conditions at Trestles. O21-59

As set forth in Mr. Hagemann's report, to properly evaluate the impact to this coastal resource, a revised DEIS/R must first develop a baseline sediment budget, subject to additional public review. Attach. E. Until a sediment budget has been prepared and the impact of sediment removal from the EDBs evaluated, impacts to this irreplaceable surfing resources cannot be adequately assessed. O21-60

(5) Management of SOSB by the Parks Department

Given the severe disruptions to SOSB by the FEC Alternatives, the DEIS/R must evaluate impacts on the viability of continued management of the entire SOSB by the Parks Department. For example, the closure of the San Mateo Campground would result in a significant loss of revenue for the Parks Department. This loss of revenue has direct physical consequences on the ability of the Parks Department to maintain and restore SOSB. In addition, the FEC Alternatives may require relocation of the Park District headquarters office and maintenance facilities. See Exh. 9 at 9 (Relocation Preplanning Letter Report for San Onofre State Beach, August 31, 1998). Neither of these impacts, or any others related to project impacts on the Parks Department, are evaluated in the DEIS/R. O21-61

b. Donna O'Neill Land Conservancy.

The DEIS/R similarly fails to adequately describe the Donna O'Neill Land Conservancy and its value as a recreational resource. Considering several proposed alternatives would run directly through the Conservancy, the DEIS/R's failure to describe the nature and extent of this unique resource is especially glaring. Guidelines § 15125; see Exh. 5 at 4.12-4 (full description of the Conservancy in Ranch Plan EIR). O21-62

The Conservancy, established as mitigation for the unfinished Talega development, has tremendous recreational and biological value. The DEIS/R fails to analyze pedestrian and recreational impacts to the Donna O'Neill Land Conservancy from the FEC alternatives. The DEIS/R notes that pedestrian resources in the unincorporated areas of Orange County include "pedestrian trails in Donna O'Neill Land Conservancy" (DEIS/R at 4.5-4), but the DEIS/R provides little if any information regarding the location of these trails or how they would be impacted by the FEC Alternatives. Moreover, the DEIS/R fails to acknowledge that the Donna O'Neill Conservancy offers other recreational activities, such as guided nature walks, picnic facilities, horse back riding, and overnight camping. Exh. 11 (Conservancy Newsletter) & Exh. 5 at 4.12-4). By virtue of the DEIS/R's failure to fully and accurately describe the environmental setting of this resources, the DEIS/R subsequently omits a required analysis of project impacts to this resource.

O21-62

c. Wilderness Parks.

The Orange County General Plan defines Wilderness Regional Parks as having the following characteristics:

The park 1) generally appears to have been affected primarily by forces of nature, with the imprint of man's work substantially unnoticeable; 2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; 3) is of sufficient size so as to make practicable its preservation and use in an unimpaired condition; and 4) may also contain ecological, geological, or other features of scientific, educational, scenic or historical value.

O21-63

Orange County General Plan, Recreation Element, VII-40. The DEIS/R fails to provide this definition and analyze impacts to wilderness parks accordingly. Although the SOCTIIP Alternatives would not pass directly through the General Thomas R. Riley or the Casper Wilderness Parks, their status as wilderness parks and the requirement of "outstanding opportunities for solitude" makes them particularly vulnerable to even minor indirect project air quality, noise, and visual impacts. As discussed more fully below, these indirect impacts which interfere with the constructive use of these parks, are not analyzed in the DEIS/R.

d. Noise Impacts to Recreational/Pedestrian and Bicycle Facilities.

The DEIS/R's efforts to dismiss long-term noise impacts to recreational open space areas because "[n]o noise standard applies" is unavailing. DEIS/R, at 4.25-7. As discussed below, several noise criteria exist which the DEIS/R ignores. Moreover, even if local standards are complied with, noise impacts may still be significant. Oro Fino Gold Mining Corporation v. County of El Dorado, 225 Cal. App. 872, 881-82 (1990) (compliance with 50 dB county general plan standard does not necessarily mean noise impacts are insignificant). Personal observations or complaints of residents can constitute substantial evidence of significant noise impacts. Id. at 882.

O21-64

The U.S. Environmental Protection Agency's ("EPA") identifies 55 dB DNL as the requisite level with an adequate margin of safety for areas with outdoor uses, including residential and recreation uses. Exh. 12 at 20 (EPA, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with Adequate Margin of Safety (1974)). As recognized in the Orange County General Plan Noise Element, "[t]he stated role for EPA has been to provide leadership in the national noise abatement effort." Orange County General Plan, NE, at 8. Accordingly, the DEIS/R should apply this standard of significance for all outdoor uses, including urban parks and recreation areas.

O21-65

In addition, the Noise Abatement Criteria ("NAC") set by FHWA/Caltrans is 57 dBA for "lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose." DEIS/R at 4.6-24. Although the DEIS/R lists this criteria, it does not apply it to any parts of the Project Area. Serene islands of quiet, such as the Donna O'Neil Land Conservancy and San Mateo State Beach, must be evaluated under this standard.

O21-66

This NAC standard exposes DEIS/R's unsupported assertion that "[n]o noise standard applies to trails because trails do not support long term lingering use" as an effort to avoid a legally adequate analysis of noise impacts from FEC alternatives. DEIS/R at 4.5-11; 4.25-7. Through this NAC standard, FHWA and Caltrans specifically recognize that quiet open space fulfills an important public purpose whether or not the public walks through these areas at a brisk pace, or pauses and rests to relish the serenity

O21-67

of the County's vanishing open spaces.⁵ Following the DEIS/R's flawed logic, any increase to noise levels, no matter how severe, would not have a significant impact. This novel approach is contrary to CEQA's standard of significance, which requires a finding of significance where the project would result in a substantial, permanent increase in ambient noise levels, regardless of whether the area supports "long term lingering use." CEQA Guidelines Appendix G, Part XI subsection (c).⁶

O21-67

The DEIS/R's only apparent effort to quantify the noise disturbance of the Alternatives on recreational uses as well as pedestrian and bicycle uses is to contour the noise impacts for the proposed road at 66 dBA. DEIS/R at 4.25-55; 4.5-9. However, this contour violates both EPA and NAC standards for open space uses. At a minimum, this contour must be reevaluated for a 57 dBA per FHWA/Caltrans standards. Once the distance from centerline of an 8 lane highway is established (per development of the Ultimate alternative) the revised DEIS/R must analyze and describe impacted areas in the Conservancy and SOSB, as well as all other potentially affected recreation areas, such as the Riley Wilderness Park.

O21-68

Because the long-term noise generated by the FEC Alternatives will permanently compromise recreational value of open spaces like the Donna O'Neill Conservancy and the SOSB, the DEIS/R's conclusion that there are no long term noise impacts to these resources is flawed. Both the Conservancy and the SOSB are fairly narrow. The Conservancy is 3/4 of a mile wide, and the SOSB Cristianitos Subunit only several thousand feet. Even excluding the aesthetic and local air quality impacts, noise impacts alone would severely compromise the recreational value of these resources.

O21-69

e. The DEIS/R Fails to Clearly and Objectively Present Recreational/Pedestrian and Bicycle Impacts.

The DEIS/R's convoluted approach to environmental review fails to clearly distinguish the substantial differences in recreational impacts among alternatives. San

O21-70

⁵ In addition, specific recreational activities conducted at the Conservancy, such as bird counting, are dependent on a quiet environment.

⁶ Caltrans has identified a substantial increase to be 12 dBA. DEIS/R at 4.6-4. Placid islands of quiet, such as the Donna O'Neil Land Conservancy, which is not evaluated in the DEIS/R, typically have noise levels ranging from 45 to 50 dBA. See Davis v. Mineta, 302 F.3d 1104, 1124 (10th Cir. 2002).

Franciscans for Reasonable Growth v. City & County of San Francisco, 193 Cal.App.3d 1544, 1548 (1987) (EIR must contain summary of proposed action and its consequences, which is to be written in language which is as "clear and simple as reasonably practical."); Greenpeace v. National Marine Fisheries Serv., 55 F. Supp. 2d 1248, 1274 (W.D. Wash. 1999), citing 40 C.F.R. § 1502.14 ("Based on the information and analysis presented in the sections on the Affected Environment (§ 1502.15) and the Environmental Consequences (§ 1502.16), [the alternatives section] should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.").

O21-70

A proper recreational impacts discussion would clearly set forth and quantify the total direct loss of parkland from a particular alternative and then describe the zone of indirect constructive interference with recreational uses as a result of long-term aesthetic, noise, and localized air-quality impacts. Instead, the DEIS/R appears to conclude that the I-5 Alternative has the greatest degree of recreational impacts because the highest number of individual parks would be affected. However, when total acreage is compared, data not readily set forth in the DEIS/R, the FEC-W-Ultimate Alternative would result in the direct acquisition of 538.6 acres of parkland, as well as extensive unquantified indirect impacts, while the I-5 Alternative would only result in direct acquisition of only 30.8 acres. To properly present the extreme disparities in impacts among the alternatives, a revised DEIS/R must distinguish the close to 20-fold difference in park acreage consumed by the various alternatives.

O21-71

The DEIS/R similarly fails to distinguish between the severity of pedestrian and bicycle impacts resulting from the I-5 and AIO Alternative and those the toll road alternatives which would create an entirely new road. For example, when analyzing the I-5 Alternative, the DEIS/R lists numerous proposed and existing trail alignments the Project would cross. Presumably, most, if not all, of these alignments already cross the existing I-5 and consequently, the impacts to these trails are limited to the incremental impact of further widening. Impacts from road widening are less severe than the impact from an entirely new road through an undeveloped area. The DEIS/R's failure to distinguish between these two scenarios fosters an inaccurate view of the impacts of each Alternative.

O21-72

f. Mitigation for Recreational Impacts.

The DEIS/R's vague, deferred, and unenforceable proposed mitigation measures for recreational impacts fall far short of CEQA's standards of adequacy.

O21-73

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Guidelines § 15126.4(a); San Franciscans for Reasonable Growth v. City & County of San Francisco, 151 Cal.App.3d 61, 79 (1984). For example, the DEIS/R proposes to consult with the owners/operators of recreational resources “to identify and implement opportunities to replace lost recreation facilities within the existing recreational property.” DEIS/R at 4.5-21. Potential sites are not identified and evaluated and the DEIR does not commit to actual replacement of facilities.

O21-73

A revised DEIS/R must identify specific replacement facilities for each impacted resource. Where permanent acquisition of recreational resources is contemplated, TCA proposes to “negotiate with the owner/operator whose recreation facilities will be permanently acquired to determine appropriate action and/or compensation to mitigate for the permanent acquisition.” DEIS/R at 4.5-21. This mitigation measure is couched in such uncertain language that it is impossible to evaluate its effectiveness. The revised DEIS/R must identify whether alternative sites are available to develop for trail use and whether those sites would provide comparable recreational value for the facilities lost. As currently proposed, mitigation for trail loss proposed in the DEIS/R is limited to providing trail crossings which will “include directions to contractors to minimize potential disruptions to existing bicycle, riding and hiking trails during construction, as feasible.” DEIS/R at 4.25-30. Vague and unspecified “directions to contractors to minimize potential disruptions” fails to meet CEQA’s standards for specific and enforceable mitigation measures. CEQA Guidelines § 15126.4(a).

O21-74

In addition, the DEIS/R’s proposed construction of trail crossings to mitigate trail impacts does not alleviate the compromised recreational quality caused by the construction of a toll road through an area which was previously uninterrupted open space. Moreover, in addition to failing to properly identify specific trails that are impacted and describe the design of proposed crossings, the DEIS/R’s proposed mitigation does not address the impacts of the project on the overall recreational experience at the affected sites and is of an extremely limited value.

O21-75

To properly mitigate the Project’s significant impacts, the DEIS/R must identify specific lands adjacent to impacted park resources of substantially equal size to compensate for Project impacts and commit to purchasing this property for park purposes. As discussed below, mitigation of this nature is not only required under CEQA, but also under the Public Park Preservation Act. In addition, where specific recreational resources are displaced, such as trails or campgrounds, the DEIS/R must commit to replacing these resources.

O21-76

g. Mitigation for Impacts to SOSB.

In its Mitigation Assessment of FTC-South Impacts on San Onofre State Beach (August 1997), the Department of Parks and Recreation ("CDPR") developed a list of mitigation measures needed to offset the impacts of the FEC Alternatives. Exh. 8. Although TCA is presumably aware of this report, none of these proposed mitigation measures are discussed or considered in the DEIS/R. CDPR's report is attached to these comments, and an excerpt included below. At a minimum, a revised DEIS/R must include each of these measures. The CDPR report provides:

With the exception of the support parking for the trail to Trestles, all of Subunit #1 be abandoned to the lessor. [This shall require amendment and extension of the current lease.] As mitigation for this action FTC-S should provide, to the satisfaction of CDPR:

1. Full reimbursement for lease renegotiation and the difference to any change of the lease rate.
2. Monetary compensation to CDPR for revenues lost during construction due to closure or disruption of CDPR facilities. Cash to CDPR for revenues lost during the remaining period of the lease for those facilities which cannot be relocated, resited, or used.
3. If necessary due to closure during construction, provide shuttle service from San Mateo Campground and Trestles parking to Trestles Beach.
4. Fund CDPR for restoration to a natural state of the existing recreational facility sites located at Subunit #1.
5. Fund CDPR for inventory and recordation of affected historic structures at San Clemente State Beach. Relocation of structures shall be fully funded.
6. Restoration and redevelopment of CDPR's San Clemente State Beach property with an additional 70 unit R.V. campground with hook-ups and mature landscaping, coastal access point, 110 seat amphitheater, and soundwall, to partially replace San Mateo Campground.

O21-77

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7. Fund acquisition and conversion of other property in Orange County for Orange Coast District Offices to replace the corporation yard, office space and residential units to be relocated from San Clemente due to conversion of site to additional campground units.
8. Upgrade existing San Onofre State Beach Bluffs Campground (Subunit #4) and add an additional 30 full hook-up campsites to partially replace San Mateo Campground.
9. Acquire for dedication to CDPR, State Park quality coastal and inland sites of sufficient size, within the region, and in the opinion of CDPR, of sufficient potential to replace the recreational values of Subunit #1 and to support:
 - The remaining 61 campground units of the total 161 campsites lost at San Mateo Campground,
 - The 150 to 200 campsites proposed at the second family campground,
 - Seven environmental campgrounds of no less than 20 sites each, and
 - A 25-unit family equestrian camp.

O21-77

Preliminary areas of interest shall be mutually determined in advance by TCA and CDPR.

The acquired sites shall be fully developed for the above described uses to CDPR standards and satisfaction prior to commencement of FTC-S construction.

10. Funding for CDPR's preparation of Resource Inventory, General Plan and Management Plan documents on all proposed replacement sites.
11. Full reimbursement for all necessary plans, permits, associated CDPR staff time.

12. Full market value for real property loss for Basilone Road Intersection and relocation within CDPR ownership of the Class One bikeway.
13. In order to protect the wetland resource of Subunit #2 require best management practices to reduce erosion during construction, including sedimentation basins and their annual maintenance for the life of the development.
14. Redesign and construct I-5 exchange to eliminate the visual impact of the flyover to Trestles.

O21-77

Exh. 8, at 6-8, Mitigation Assessment of FTC-South Impacts on San Onofre State Beach.

h. Mitigation for Impacts to the Donna O'Neill Conservancy.

As originally proposed in 1991, the FEC routes did not infringe on the Conservancy. In the Executive Summary, the DEIS/R rationalizes encroachment into the Conservancy on the grounds that "the habitat value of the Conservancy is of no greater value than other habitat located adjacent to the Conservancy" and that wetlands impacts could be avoided. DEIS/R, ES-22. Even if this were the case – for which there is no evidence to support – the critical distinction between the Conservancy and the adjacent land is that the former is protected from future development. The DEIS/R makes no effort to protect what it claims are the lands of equivalent habitat value. Proposed mitigation for the destruction of biological integrity and resulting fragmentation of the Conservancy, for which no transportation corridor was intended to pass, does nothing to alleviate the enormous scar the FEC alternatives will create across the Conservancy. Moreover, adjacent habitat of allegedly equivalent value is slated for development under the Ranch Plan. To mitigate for the loss of land in the Conservancy, a revised DEIS/R would need to at a minimum identify, acquire and protect land adjacent to the conservancy to the extent equal to the total amount of land directly and indirectly impacted by the FEC Alternatives.

O21-78

4. The DEIS/R Fails to Adequately Analyze and Mitigate Water Quality Impacts and Impacts Related to Hazardous Materials and Hazardous Waste Sites.

Comments on the DEIS/R's treatment of the Project's significant water quality and hazardous materials impacts are included in the attached expert report

O21-79

prepared by Matthew Hagemann, which is hereby incorporated by reference. Attach. E. As detailed in this report, the Project would have numerous significant water quality and hazardous materials impacts and fails to consider numerous potentially feasible mitigation measures for these impacts. Accordingly, a revised DEIS/R must be prepared to fully analyze and disclose these impacts and to propose and evaluate feasible mitigation measures for each significant impact.

O21-79

5. The DEIS/R Fails to Adequately Analyze and Mitigate Visual Impacts.

There does not appear to be any logical method by which viewpoints were selected for analysis to ensure that: 1) the visual impacts of each alternative are properly analyzed; and 2) that the type and number of viewpoints among alternatives is equitable to enable an impartial comparison among alternatives.⁷ Absent an equitable distribution of viewpoints, the level of impact among Alternatives cannot be effectively compared. An evenly distributed analysis is particularly crucial here because the DEIS/R compares the number of impacted views to evaluate the extent of visual impacts among alternatives. One example of the DEIS/R's flawed methodology is the document's analysis of a visual impacts to a view in the Donna O'Neill Conservancy for the FEC-W route but not for the FEC-M. Both routes would have visually significant impacts, yet only one route is assessed. To facilitate an understanding of the comparative visual impacts of each alternative, a revised DEIS/R should include a master table that lists which viewpoints were examined for which segments.

O21-80

The DEIS/R's identification of visually outstanding views is limited to one view from Caspers Regional Park and a cluster of views adjacent to Ortega Highway. DEIS/R, Figure 4.18-8. The DEIS/R defines regional outstanding views as views which "provide wide panoramic views of extensive areas of valleys and ridges that are largely undeveloped and free from the . . . visual liabilities." DEIS/R at 4.18-9. While the DEIS/R claims without explanation that AU-31, a view from the Donna O'Neill Conservancy, is not regionally outstanding, from a photo of existing conditions of this viewpoint, it is readily apparent that this view fits all the criteria of a regional outstanding view and is in fact superior to those views actually identified as regionally outstanding in the DEIS/R. Compare DEIS/R, Figure 4.18-50 with Figures 4.18-9 and 4.18-10. A

O21-81

⁷ The Visual Impacts Technical Report, which is outdated and contains numerous evaluations of views from alternatives which the Project no longer contemplates, also does not illuminate the DEIS/R's methodology.

revised DEIS/R must acknowledge that this view is regionally outstanding and modify its conclusions accordingly. See, e.g., DEIS/R at 5-50 (FEC Alternative would not result in impact to regionally outstanding views). O21-81

In addition, the DEIS/R must analyze additional views to properly provide a sense of the visual impacts to the SOSB area from the FEC Alternatives. The Mitigation Assessment of FTC-South Impacts on San Onofre State Beach prepared by the California Department of Parks and Recreation provides several visual impacts analyses which convey the extent of the visual blight that would be caused by the FEC Alternatives. See Exh. 8. These visual assessment must be incorporated in a revised and recirculated DEIS/R. O21-82

Mitigation measures AS-1 and AS-2 propose the future preparation of "Aesthetic Design Guidelines" and "Landscape Design Guidelines." DEIS/R at 4.18-57. In the event a toll road alternative is selected, TCA would develop these guidelines. Because the Guidelines proposed by TCA are not developed there is no way to review and evaluate their effectiveness in mitigating Project impacts. The DEIS/R cannot defer the development of these Guidelines until after Project approval. CEQA Guidelines § 15126.4(a)(1)(B) (formulation of mitigation measures should not be deferred until some future time). O21-83

Mitigation measure AS-3 states that "[t]he mainline corridor shall not be continuously lit." DEIS/R at 4.18-57. As stated, this measure only proposes to ensure that the mainline corridor, which is not defined, will not be lit 24-hours per day. This measure must be revised to define the times in which the corridor would be lit. San Franciscans for Reasonable Growth, 151 Cal.App.3d at 79. O21-84

6. The DEIS/R Fails to Adequately Analyze and Mitigate Noise Impacts.

a. The DEIS/R Does Not Provide a Complete and Accurate Description of Existing Noise Levels in the Project Area.

The DEIS/R selection of noise receptor locations are almost exclusively located along the existing I-5 corridor. See DEIS/R, Figure 4.6-3. Because these sites are located along an existing major highway, the incremental impact of noise from the I-5 (and arterial) Alternative is significantly less than Alternatives, such as the FEC Alternatives, which would create an entirely new road. To provide an accurate picture of existing noise levels along each proposed alternative route, a revised and recirculated O21-85

DEIS/R must provide more extensive sampling of existing noise levels along all project alternatives, including the FEC alternatives, which are almost entirely overlooked. Indeed, the DEIS/R fails to include a single noise receptor in the Donna O'Neill Land Conservancy, an area, renowned for its peace and serenity, which would be significantly impacted by the noise generated by the construction of a major highway through its borders. In addition, the DEIS/R fails to include sufficient receptors for the FEC alternatives. Consequently, the DEIS/R's conclusions, which are arbitrarily based on the number of receptors the project would impact, do not accurately reflect the relative noise impacts from each alternative.

O21-85

b. The DEIR's Limited Analysis of Noise Impacts Prevents a Full Understanding of the Noise Generated by the Project.

To provide the public with an understanding of the noise the Project would generate, a revised DEIS/R must describe the noise level generated by the project itself. Sound is measured on a non-linear scale of units of decibels. An adjusted scale, using A-weighted decibels [db(A)], emphasizes those sound frequencies that humans hear best. See Exh. 13 at 32 (EPA, Indicators of Environmental Impacts of Transportation (1999)). On this scale, a 10-dBA increase is perceived as a doubling of sound. Id. A noise level of 65 dbA or above will "significantly" disturb outdoor speech. Valley Citizens for a Safe Env't v. Aldridge, 886 F.2d 458, 467 (1st Cir. 1989). Although typical noise levels for highway vehicles range from about 70 dBA for freeway traffic to 85 dBA for a heavy truck, this information is entirely lacking in the DEIS/R. See Exh.13 at 32).

O21-86

The only effort to quantify sounds levels from the centerpoint of a future road is set at 66 dBA (DEIS/R at 4.25-33), which fails to provide an accurate sense of the extent of project impacts. The Ranch Plan DEIR (SCH No. 2003021141) notes that noise generated from the SR-73, another toll road operated by TCA, generated a CNEL of 72.5 100 feet from the roadway centerline. See Exh. 5 at 4.8-8 (excerpt from Ranch Plan EIR). The Ranch Plan EIR models noise impacts for a CNEL of 70, 65, and 60. That EIR's analysis reveals that the 60 CNEL reaches as far as 684 feet from the centerline of the toll road. Id. At a minimum, a revised DEIS/R must provide similar information regarding the extent of noise impacts emanating from each alternative at various CNEL levels.

O21-87

Even the DEIR's limited analysis is inconsistent. In the analysis of Pedestrian and Bicycle Impacts, the DEIS/R notes that the 66 dBA contour assumes "soft site" conditions, meaning that the distance from the centerline is assumed to be not developed in hard surfaces such as asphalt. DEIS/R at 4.5-7. Clearly, in the case of an 8-

O21-88

lane highway, at least a portion of the distance from the centerline will be paved, thereby magnifying noise impacts. Moreover, although the contour analysis is identical in the Pedestrian and Bicycle Impact Section and the Recreational Impact section, no similar caveat regarding soft site conditions is provided in the Recreational Impacts section of the DEIS/R. In order to properly inform the public of the noise impacts from the Project, a revised DEIS/R must consistently and accurately contour the sound impacts for various dBA levels, and adjust its figures to account for the multiple lanes of asphalt highway emanating from the centerline. O21-88

c. The DEIS/R Fails to Include Appropriate Standards of Significance to Evaluate Noise Impacts.

A fundamental flaw in the DEIS/R's analysis of noise impacts is its failure to consider appropriate thresholds of significance. The DEIS/R relies primarily on one NAC Guideline, which considers noise levels greater than or equal to 67 dBA to be of concern. Under this lenient threshold, which is high enough to significantly disturb outdoor speech, the DEIS/R grossly understates project impacts. DEIS/R at 4.6-14. Even where local standards are complied with, noise impacts may be significant. Oro Fino Gold Mining Corporation v. County of El Dorado, 225 Cal. App. 872, 881-82 (1990)(compliance with 50 dB county general plan standard does not necessarily mean noise impacts are insignificant). The DEIS/R's antiseptic approach to noise analysis omits the most relevant effects that come from noise. The DEIS/R fails to identify the multiple criteria which have been established to help protect public health and safety and prevent disruption of certain human activities. These criteria are based on the effects of noise on people such as communication interference, sleep interference, physiological responses and annoyance. O21-89

(1) Communication Interference

A primary concern in environmental noise problems is communication interference including speech interference and interference with activities such as watching television. Normal conversational speech is in the range of 60 to 65 dBA and any noise in this range or louder may interfere with speech. As courts have specifically recognized, "a noise level of 65 dbA or above will 'significantly' disturb outdoor speech." Davis v. Mineta, 302 F.3d 1104, 1124 n.14 (10th Cir. 2002) (citing Valley Citizens for a Safe Env't v. Aldridge, 886 F.2d 458, 467 (1st Cir. 1989)). There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level. O21-90

(2) Sleep Interference

Sleep interference is a major noise concern in noise assessment and is most critical during nighttime hours. Noise can make it difficult to fall asleep, create momentary disturbances of natural sleep patterns by causing shifts from deep to lighter stages and cause awakening. Noise may also cause awakening which a person may or may not be able to recall. Extensive research has been conducted on the effect of noise on sleep disturbance. Recommended values for desired sound levels in residential bedroom range from 25 to 45 dBA, with 35 to 40 dBA being the norm. This standard should be used to determine impacts to residences, as well as outdoor sleeping areas, such as the San Mateo Campground.

O21-9'

(3) Physiological Responses

These are measurable effects of noise on people such as changes in pulse rate and blood pressure. While annoyance can vary from person to person, the level of annoyance typically depends on the characteristics of the noise, defined as the loudness, frequency, time and duration of the noise, and how much speech and/or sleep interference results from the noise.

O21-9½

7. The DEIS/R Fails to Adequately Analyze and Mitigate Coastal Zone Impacts.

Should an FEC Alternative be selected, a required Coastal Development Permit ("CDP") application will be based on the analyses and mitigation in the DEIS/R. DEIS/R at 4.15-3. However, the DEIS/R utterly fails to address and mitigate critical coastal impacts. As noted in the DEIS/R, one of the primary purposes of the California Coastal Act is to maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sounds resource conservation principles. DEIS/R at 4.15-2. As discussed above in comments on recreational impacts, the DEIS/R provides no analysis or mitigation related to the significant impacts to public access to Trestles Beach and the use of old U.S. 101 by the public, and impacts to surfing quality at Trestles. A revised DEIS/R must analyze the FEC Alternatives' interference with coastal access.

O21-93

In addition, the San Mateo Campground, which the FEC Alternatives would effectively eliminate, was mitigation for a coastal permit for an expanded parking lot at San Onofre Nuclear Generating Station ("SONGS"). Thus, in addition to mitigating for

O21-9'

the loss of public recreational space in the coastal zone, any coastal permit application must also compensate for the loss of the campground.

O21-94

8. The DEIS/R Fails to Properly Analyze Socioeconomic Impacts.

The DEIS/R's cursory summary of SOCTIIP Alternative impacts to residential and commercial displacement precludes a meaningful analysis of socioeconomic impacts. See Citizens of Goleta Valley v. Board of Supervisors, 52 Cal.3d 553, 568 (1990) (an EIR must contain facts and analysis, not just an agency's bare conclusions). To properly describe Project impacts, a revised DEIS/R must provide detailed maps of each proposed route and identify each structure which would be displaced.

O21-95

As currently set forth, the DEIS/R merely provides a table listing the total number of displaced units under each SOCTIIP alternative. DEIS/R at 4.4-31, 4.4-32. The Relocation Impacts Technical Report merely breaks this number down by community, with no indication as to where units may be clustered or located along a proposed route. Relocation Impacts Technical Report at 2-140. Thus, it is impossible to determine where and how each proposed route would impact existing structures and how modifications to these proposed routes might lessen such impacts. This information is particularly crucial in the case of the I-5 Alternative, which the DEIS/R indicates would impact a large number of existing structures. Although Caltrans divides I-5 into numerous segments (Caltrans, I-5 Route Concept Report (2000)), the DEIS/R makes no effort to correlate the number of structures impacted by proposed widening at each segment. The DEIS/R fails to evaluate an I-5 widening alternative which would widen only certain segments of I-5 to avoid heavily developed commercial areas, such as downtown San Clemente. The DEIS/R's failure to present adequate information to make such an analysis possible contravenes CEQA's most basic informational requirements. CEQA Guidelines § 15151; Environmental Planning and Information Council of Western El Dorado County v. County of El Dorado, 131 Cal.App.3d 350, 357 (1982).

O21-96

9. The DEIS/R Fails to Adequately Analyze and Mitigate Agricultural Impacts.

With the exception of the I-5 Alternative, implementation of the SOCTIIP Alternatives would pass through prime and unique farm land, as well as the last remaining agricultural reserves in the County. For example, the FEC-W-U Alternative would irrevocably convert 85 acres of agricultural resources of prime, unique, or statewide importance and 275 acres of agricultural reserves. DEIS/R at 4.3-31. Despite

O21-97

the significant loss of Orange County's vanishing agricultural resources, and the additional pressure to convert even more agricultural land as a consequence of the construction of a major highway through an extensive and uninterrupted agricultural community, the DEIS/R fails to propose any mitigation which would alleviate these significant impacts. Instead, proposed mitigation is limited to allowing farmers and ranchers access to their remaining operations and a "commitment" to provide the agricultural community with advance notice of the timing of construction. DEIS/R at 4.3-19, 4.3-20.

O21-97

Caltrans Guidelines list three types of mitigation related to agricultural impacts: (1) alternative alignments that do not affect agricultural resources; (2) reducing impacts by modifying the design to reduce the total impact or avoid agricultural resources; and (3) replacement or preservation mitigation. None of these measures are included in the DEIS/R. Instead, the DEIS/R states that TCA "anticipates" that "design refinements would be incorporated as feasible . . . to avoid or minimize impacts on resources, including agricultural resources." DEIS/R at 4.3-18. Not only is this proposal vague and uncertain, but it is not even incorporated as a mitigation measure.

O21-98

CEQA Guidelines section 15370 specifically identifies ways in which measures might mitigate the impacts of a project, even though they do not eliminate its effects. Mitigation includes measures "reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action," and "[c]ompensating for the impact by replacing or providing substitute resources or environments." CEQA Guidelines § 15370(d), (e). Agricultural easements satisfy this definition by preserving agricultural land in the project area that is otherwise likely to be developed, thereby ensuring more agricultural acres over time than would exist absent the easement. Agricultural easements permanently restrict the use of land for more intensive purposes, and are widely used to reduce the impacts of development on agricultural land. Such easements are usually administered by land trusts or government agencies, and property ownership typically does not change.

O21-99

The DEIR's failure to consider mitigation for the loss agricultural lands is particularly striking given the wide variety and number of successful programs that exist to address this issue, including those authorized by the Williamson Act. Examples include, but are not limited to:

O21-100

City of Davis General Plan and Ordinance 1823. Under the City of Davis Right to Farmland Preservation Ordinance No. 1823, new development is required to protect an equivalent amount of agricultural

acreage to that lost as a result of development. Agricultural mitigation can also be satisfied under the Ordinance by the payment of a fee based on the replacement ratio and sufficient to locate and acquire the mitigation acreage including administration and other fees. Davis is currently considering amending the ordinance to require replacement of agricultural land lost at a 2:1 ratio. The City implements these requirements to mitigate for project impacts to agricultural lands.

South Livermore Specific Plan. New residential and non-residential developments in the South Livermore Valley are required to mitigate the loss of agricultural and open space lands by agricultural land dedications and planting and payment of fees. The program requires that for each acre developed, an acre be permanently protected and planted, and an additional acre must be permanently protected and planted for each unit built on that acre. The per-acre cost of this program is about \$35,000 per acre developed. The program also includes a voter approved urban growth boundary, which has created long-term stability for the agricultural areas identified in the plan.

Yolo County. The County requires one acre of agricultural land to be protected for each acre converted to non-agricultural uses.

The purchase of an agricultural easement is especially appropriate here where the construction of a new major highway through extensive agricultural preserves, as proposed under the FEC alternatives, would encourage the conversion of additional agricultural resources. As the DEIS/R recognizes, there is extensive development pressure to convert the last remaining agricultural resources in Orange County to non-agricultural uses. However, contrary to the DEIS/R conclusion, this pressure militates for, rather than against, the preservation of existing agricultural resources in the County. The DEIS/R's dismissive rationale for the infeasibility of such a measure is unavailing and indicative of TCA's lack of commitment to mitigate project impacts to the extent feasible. The DEIS/R states that "[r]aw land costs in Orange County are believed to be approximately \$50,000 per acre." DEIS/R at 4.2-19. However, to properly evaluate the feasibility of this measure, the DEIS/R must evaluate the cost for agricultural easements, which allow for the continued economic production of agricultural products, and not outright purchase of "raw land."

To provide legally adequate mitigation, a revised DEIR must specify the mitigation fee or other requirement (e.g. easement exchange) and be circulated for public

O21-100

O21-101

O21-102

comment. Adoption of measures such as those identified above would reduce the impacts on agricultural and open space lands through the permanent protection of agricultural and open space lands in the region.

O21-102

F. The DEIS/R Fails to Adequately Describe, Analyze and Mitigate the Project's Cumulative Impacts.

NEPA and CEQA require agencies to prepare a cumulative impacts analysis in evaluating the impact of a proposed project. The importance of the cumulative impacts analysis has been repeatedly underscored by both federal and state courts. NEPA defines a cumulative impact as:

the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

O21-103

40 C.F.R. § 1508.7; see also 40 C.F.R. §§ 1508.25(a)(2), 1508.27(b)(7). The Ninth Circuit has held that "where several actions have a cumulative or synergistic environmental effect, this consequence must be considered in an EIS." City of Tenakee Springs v. Cough, 915 F.2d 1308, 1312 (9th Cir. 1990). The federal courts further require the cumulative impacts analysis to be detailed and supported with empirical data. See, e.g., Natural Resources Defense Council v. Hodel, 865 F.2d 288, 299-300 (D.C. Cir. 1988).

Likewise, CEQA requires a discussion of the environmental impacts, both direct and indirect, of the proposed project in combination with all "closely related past, present and reasonably foreseeable probable future projects." Guidelines § 15355(b); see also Cal. Pub. Res. Code § 21083(b); Guidelines §§ 15021(a)(2), 15130(a), 15358. The discussion of cumulative impacts must "reflect the severity of the impacts and the likelihood of their occurrence" (Guidelines § 15130(b)), and must document its analysis with references to specific scientific and empirical evidence. Mountain Lion Coalition v. California Fish & Game Comm'n, 214 Cal.App.3d 1043, 1047, 1052 (1989).

1. Cumulative Biological Impacts.

Comments on the DEIS/R's treatment of the Project's significant cumulative impacts to biological resources are included in the attached expert report prepared by Dr. Wayne Spencer of the Conservation Biology Institute and Robb Hamilton. Attach. C. As detailed in this report, the DEIS/R fails to adequately assess and mitigate cumulative biological impacts and misleadingly relies on the uncertain success of a future NCCP/HCP process.

O21-104

2. Cumulative Water Quality, Runoff, and Erosion/Sedimentation Impacts.

Comments on the DEIS/R's treatment of the Project's significant cumulative impacts to water quality, runoff, and erosion/sedimentation impacts are included in the attached expert report prepared by Matthew Hagemann. Attach. E. As detailed in this report, the DEIS/R fails to adequately assess and mitigate cumulative water quality impacts to the extent feasible.

O21-105

3. Cumulative Agricultural Impacts.

Much like its analysis of the Project's cumulative impacts, the DEIS/R admits that each of the alternatives save the I-5 Alternative would have a significant cumulative impact on agricultural resources yet the DEIS/R proposed no mitigation to offset this loss. A revised DEIS/R must consider these and other measures that could clearly offset the each particular alternative's contribution to the cumulative loss of agricultural and open space lands in the region. Feasible mitigation measures include, but are not limited to, permanent protection of an acre of open space and agriculture land, for each acre impacted that is not in a Williamson Act contract, for the purpose of protecting permanent open space and agricultural land in the region.

O21-106

4. Cumulative Visual Impacts.

Rather than analyze the cumulative impacts of the Project by incorporating the visual impacts associated with future development with the specific views examined in evaluating the Project, the DEIS/R merely states that "the SOCTIIP Alternatives, with the exception of the I-5 Alternative, when considered with other projects in the area, are anticipated to contribute to a cumulative long term adverse impact related to visual resources." This cursory conclusion falls far short of the detailed, technical analysis

O21-107

required under both NEPA and CEQA. Natural Resources Defense Council v. Hodel, 865 F.2d at 299-300; Mountain Lion Coalition, 214 Cal.App.3d at 1052.

A revised DEIS/R must examine how build-out of proposed developments, including the proposed Rancho Mission Viejo development and Talega Development, will further compromise and deteriorate views from the Donna O'Neill Conservancy, the proposed San Juan Creek Regional Park, Caspers Regional Park, and the General Thomas F. Riley Wilderness Park. Currently, the DEIS/R merely states that "development trends in the study area have incrementally changed the appearance of parts of the study area from agricultural and open space to urbanized view This trend is expected to continue . . ." DEIS/R at 5-50. Whether or not this trend will continue does not remove the DEIS/R's obligation to analyze the extent of cumulative impacts to specific views of the existing, largely agricultural and open space setting of the Project area. Kings County Farm Bureau v. City of Hartford, 221 Cal.App.3d 692, 729 (1990).

O21-107

In addition, conclusions regarding the number of views impacted by the various alternatives in the cumulative impacts analysis appears to be far less than the number of views listed in the Visual Impacts analysis. Compare DEIS/R at 5-50 with DEIS/R at 4.18-55, 56. A revised DEIS/R must explain how the DEIS/R transitions from 18 reduced views to five unavoidable adverse impacts.⁸ Compare DEIS/R at 5-50 with DEIS/R at 4.18-55.

G. The DEIS/R Fails to Analyze the Project's Growth-Inducing Impacts.

Although the FEC and Central Corridor ("CC") Alternatives propose to create a new major highway, the DEIS/R concludes that these alternatives will not have significant growth-inducing impacts because the proposed RMV development, which is not approved and vastly exceeds current General Plan densities, would be built as currently proposed with or without the enhanced accessibility of a major freeway connecting the project site to northern Orange County and I-5. The DEIS/R's flawed assertions fail to consider the significant impacts associated with increased regional employment growth triggered by the FEC Alternatives. In addition, the DEIS/R presumes that the RMV development would be approved as proposed with or without a highway through the RMV site. However, because the toll road would serve the RMV project and

O21-1 3

⁸ In addition, the application of mitigation measures, which as already discussed, are vague and unenforceable, are not analyzed and applied to specific views to explain this inconsistency.

create a framework for future development, it eliminates a potential constraint on development of the project that could lead to a greater density of development. Accordingly, the DEIS/R's conclusion that growth-inducing impacts are less-than-significant is flawed and must be revised.

O21-108

1. The DEIS/R Does Not Account for the Increase in the Type and Extent of Commercial Development Resulting From Toll Road Construction.

The DEIS/R does not account for the shift in the nature of commercial development induced by the CC, and in particular the FEC Alternatives. The Ranch Plan proposes to create 5 million square feet of commercial/industrial building space. DEIS/R at 6-9. A recent study on the growth-inducing impacts of the TCA Toll Roads concluded that, controlling for other factors, the increased accessibility created by the toll roads had the independent impact of increasing employment growth in adjacent areas. See Exh. 3, Boarnet, New Highways, Induced Travel, and Urban Growth Patterns: A "A Before and After" Test (Sept. 2002). Although the DEIS/R acknowledges this effect, it makes no effort to analyze this impact. DEIS/R at 6-6. First, the 5 million sq. ft. of commercial space proposed under the RMV plan is much more likely to be constructed if it is along a major freeway. However, even if the Ranch Plan's 5 million sq. ft. of proposed commercial space could be leased without the benefit of a connecting highway, as indicated by the Boarnet report, the FEC and CC Alternatives would change the character of this development. Due to the enhanced connectivity to the rest of Orange County, the Ranch Plan commercial and industrial space would be infinitely more attractive as a regional employment center. The development of regional employment centers carries with it increased induced traffic demand, VMT, and air quality impacts, none of which are analyzed in the DEIS/R.

O21-109

The DEIS/R's failure to analyze changes in employment distribution prompted by the construction of a toll road extends to areas proximate to all toll road alternatives. Although the DEIS/R vaguely acknowledges that "[g]rowth facilitating effects would occur within the overall distribution and intensity of development" for all alternatives, the DEIS/R does not assess the extent of this impact or quantify the in-fill development capacity for commercial space likely to be developed under each alternative. DEIS/R at 6-23. The boost in commercial development that will accompany any build alternative is a reasonably foreseeable consequence of the Project that will expand the scope of Project impacts. Accordingly, a revised DEIS/R must evaluate the environmental effects of expanded commercial development, including additional impacts to traffic and air quality. See Laurel Heights I, 47 Cal.3d at 396.

2. FEC Alternatives Would Reduce Potential Constraints on Development of the Ranch Plan at the High Density Levels Currently Proposed.

The DEIS/R's efforts to characterize the SOCTIIP Alternatives as an entirely distinct and separate project from the proposed RMV development is unavailing. The 14,000 du proposal for the RMV property is not yet approved. Approval of this project would require significant changes to existing general plan and land use designations, which currently allows for only 6,200 dus and little, if any, commercial development. DEIS/R at 2-8. Absent a toll road through the RMV property, project proponents would be forced to rely on the development of their own circulation system and existing local thoroughfares. The vastly increased traffic impacts associated with a project of this scale without the benefit of an FEC Alternative is a constraint on development of the project at the high numbers of units currently proposed.

O21-110

The FEC Alternatives would also fragment the largely undeveloped RMV property and irrevocably alter its bucolic character. The toll road will diminish the open space character and ecological value of the RMV property, reducing that development constraint. Moreover, the DEIS/R's conclusion that SOCTIIP Alternatives passing through the RMV development would not impact sensitive habitat areas is premised on the understanding that the planning and controls included as part of the NCCP process "would prohibit shifting the development into the biologically sensitive areas or increasing the overall amount of development." Growth Inducing Impacts Technical Report, at 5-57. However, the NCCP process has not been concluded. Moreover, the RMV project proponents have opted to push through their development proposal in advance of the conclusion of the NCCP process. The DEIS/R cannot rely on a future NCCP to conclude that this shift of development will not occur.

O21-111

While the DEIS/R states that there is strong pressure for urban development with or without the SOCTIIP Alternatives, creation of yet another toll road in Orange County further encourages sprawl-like development over Orange County's last remaining open spaces rather than directing this development to the infill of existing urban areas. DEIS/R at 6-25. Moreover, there is absolutely no basis for the DEIS/R to assert that "SOCTIIP has not led to an increase in the numbers of dus requested by [the RMV] landowner." DEIS/R at 6-26. TCA EIR No. 3, which originally proposed the Foothill-South alignment, was prepared in 1991, well before the development of plans for the RMV property, and approved an alignment through the RMV property. Any reductions in maximum OCP-2000 forecasts, which exceed General Plan designations by close to 15,000 dus, is not "irrespective" of SOCTIIP, but rather an acknowledgment that the

O21-112

RMV area cannot accommodate this unrealistically high level of development. The 14,000 dus currently proposed for RMV anticipate and plan for the benefits of the toll road.

O21-112

H. The DEIS/R Fails to Thoroughly Consider a Reasonable Range of Alternatives as Required by CEQA and NEPA.

The evaluation of alternatives is the "heart" of the EIS. 40 C.F.R. § 1502.14 (2004). It "guarantee[s] that agency decisionmakers have before them and take into proper account *all possible approaches to a particular project . . . which would alter the environmental impact and the cost-benefit balance . . .*" Bob Marshall Alliance v. Hodel, 852 F.2d 1223, 1228 (9th Cir. 1988) (emphasis added, internal citations, quotations and alterations omitted). NEPA's regulations and Ninth Circuit caselaw require the agency to "[r]igorously explore and objectively evaluate all reasonable alternatives." § 1502.14(a) (emphasis added); Citizens for a Better Henderson v. Hodel, 768 F.2d 1051, 1057 (9th Cir. 1985) (EIS must consider "every" reasonable alternative).

The courts, in the Ninth Circuit as elsewhere, have consistently held that an agency's failure to consider a reasonable alternative is fatal to an agency's NEPA analysis. See, e.g., Idaho Conservation League v. Mumma, 956 F.2d 1508, 1519-20 (9th Cir. 1992) ("The existence of a viable, but unexamined alternative renders an environmental impact statement inadequate."); Forty Most Asked Questions Concerning CEQ's NEPA Regulations, 48 Fed. Reg. 18,026 (March 16, 1981) ("In determining the scope of alternatives to be considered, the emphasis is on what is 'reasonable' rather than on whether the proponent or applicant likes or is itself capable of carrying out the particular alternative. Reasonable alternatives include those that are practical or feasible from a technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.").

O21-113

Similarly, under CEQA, a proper analysis of alternatives is essential to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d); Citizens for Quality Growth v. City of Mount Shasta, 198 Cal.App.3d 433, 443-45 (1988). As stated in Laurel Heights Improvement Association v. Regents of University of California, "[w]ithout meaningful analysis of alternatives in the DEIR, neither the courts nor the public can fulfill their proper roles in the CEQA process [Courts will not] countenance a result that would require blind trust by the public, especially in light of CEQA's fundamental goal that the public be fully

informed as to the consequences of action by their public officials.” 47 Cal.3d 376, 404 (1998).

O21-11

Like the rest of the DEIS/R, the alternatives analysis is colored by TCA's interest in proceeding with a toll road alternative, rather than a concern for regional transportation improvements outside its jurisdiction. The DEIS/R considers eight action alternatives and a no action alternative, but the analysis fails to include the rigorous exploration of all viable alternatives required by NEPA and CEQA. Illustrating the bias towards toll road alternatives that pervades the document, the DEIS/R contains multiple variations of both the FEC and central corridor alternatives, as well as crossover, hybrid versions of the two. While such consideration increases the total number of "alternatives" considered, these alternatives offer few clear distinctions from one another in terms of environmental impacts. Presenting clear distinctions, and vigorously exploring all feasible alternatives, is particularly important when addressing complex or difficult issues—such as the appropriate manner to address traffic congestion problems in southern Orange County. See Greenpeace v. National Marine Fisheries Service, 55 F. Supp. 2d 1248 (W.D. Wash. 1999) (alternatives analysis did not sharply define the issue and present a clear basis for choice). Merely presenting slightly different variations of tollroad construction does not constitute an adequate alternatives analysis. See Sierra Club v. United States DOT, 962 F. Supp. 1037 (N.D. Ill. 1997).

O21-11

Due to the lack of clear distinctions among alternatives, many of the options considered pose nearly identical environmental risks. For example, although the DEIS/R considers several different variations of the FEC corridor, all would destroy large portions of San Onofre State Beach; present grave risks to many threatened and endangered species; degrade water quality within the largely pristine San Mateo Creek watershed as well as its rivermouth just downstream at Trestles surfing beach; degrade air quality; and bisect the Donna O'Neill Land Conservancy. As the driving purpose of alternatives analysis under CEQA and NEPA is to explore options to proposed federal actions which will adversely affect the environment, analyzing slightly different variations of proposals with essentially identical environmental effects does not constitute an adequate alternatives analysis.

O21-115

In contrast to the overblown consideration of toll-road alternatives, the DEIS/R devotes only brief and perfunctory attention to non-toll road alternatives such as congestion pricing, HOT lanes, parking pricing and management, infill encouragement, developer fees to encourage more efficient use of land, arterial improvements, expansion of mass transit infrastructure and programs, or modifications to the existing I-5 corridor such as widening and double-decking. As set forth in more detail in expert comments by

O21-116

Carloine Rodier, P.h.D., the DEIS/R ignores a good-faith investigation of numerous alternatives that reduce traffic congestion without the need for additional road construction. Attach. A. Indeed, the DEIS/R only gives the most narrow and rigid consideration of non toll-road alternatives. This rigidity and lack of rigorous consideration is especially evident with respect to the I-5 alternative, for which the DEIS/R portrays a dire scenario in which a substantial number of houses and businesses, many in the heart of San Clemente, San Juan Capistrano, and Mission Viejo, would be destroyed and claimed through eminent domain proceedings. Consideration of "hybrid" variations of non-toll road alternatives which would avoid, minimize, and mitigate such impacts, is notably absent from the DEIS/R. Additionally, the potential adverse impacts of the widening alternative are magnified by the analysis of a much longer roadway segment than any of the other action alternatives, without any evidence to support the need for such an extensive undertaking.

O21-116

A revised DEIS/R must examine the possibility of expanding those sections of I-5 with the least impacts to adjacent existing development, or double-decking areas of concern, such as downtown San Clemente. In addition, while the DEIS/R hastily dismisses the viability of I-5 widening on the grounds that there is "no funding source" for this alternative (Traffic Technical Appendix at 1-4), the DEIS/R fails to explore alternative funding mechanisms such as the use of High Occupancy Toll (HOT) lanes as a means to both generate funding for construction and reduce congestion. A study conducted by the FHWA concluded that congestion pricing and HOT lanes: 1) can reduce congestion; 2) provide much needed revenues for expansion of transportation services; and 3) can be politically and publicly acceptable; and 4) reduce environmental damage. Exh. 14, FHWA, Evaluation of Toll Options Using Quick-Response Analysis Tools, A Case Study of the Capital Beltway. Especially considering FHWA has determined that HOT lanes are a potentially successful mechanism to reduce congestion and fund transportation improvements on existing routes, the DEIS/R's failure to consider and evaluate this option is a fatal shortcoming under both CEQA and NEPA.

O21-117

The stark contrast in the consideration given to toll road alternatives versus non toll-road alternatives violates both CEQA and NEPA, especially in light of the fact that the DEIS/R acknowledges that all of the action alternatives considered within the document meet the primary purpose and need of the project-alleviating future traffic congestion. DEIS/R at 1-19 ("the Collaborative agreed that all the build Alternatives considered in the EIS/SEIR meet the project purpose and need because they all provide some level of traffic relief."). As the analysis of alternatives within a CEQA or NEPA document is driven by, and inextricably linked to, the initial definition of the project's

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purpose and need, the DEIS/R should have given full consideration to a variety of non-toll road options, as well as "hybrids" or combinations of these alternatives, just as it did with respect to the primary FEC and central corridor toll-road alternatives. See City of Carmel-by-the-Sea v. United States Dep't of Transportation, 95 F.3d 892, 903 (9th Cir. 1996). ("Logic and law dictate that every time an agency prepares an environmental impact statement, it must answer three questions in order. First, what is the purpose of the proposed project (major federal action)? Second, given that purpose, what are the reasonable alternatives to the project? And third, to what extent should the agency explore each particular reasonable alternative?")

O21-118

Instead, as is the case throughout the DEIS/R, toll road alternatives are presented in the best possible light by downplaying their environmental effects while non-toll road alternatives are marginalized. The conclusory and limited analysis of non toll road alternatives, particularly the failure to rigorously explore combinations of options to mitigate or avoid impacts to homes and businesses, provides more evidence that the DEIS/R is strongly biased towards toll road alternatives and has not given a truly searching analysis or legitimate consideration of non-toll road alternatives.

O21-1 9

In addition, the DEIS/R briefly notes that in the event a state transportation project within an undefined "non-compete zone" has the potential to reduce ridership on TCA's toll roads, the state must compensate TCA for this loss. DEIS/R at 2-25. The DEIS/R omits any discussion of the specific boundaries of this zone and does not indicate whether the state would be forced to compensate TCA in the event the I-5 or AIO alternatives were pursued. The DEIS/R must evaluate the extent to which the agreement would implicate the I-5, AIO alternatives, and any other contemplated future roadway improvements. Indeed, the non-compete agreement is directly at odds with the NEPA Purpose and Need Statement's goal of congestion reduction. An examination of alternatives must analyze how termination of this agreement could potentially provide Caltrans with a greater ability to undertake transportation improvements projects that would improve congestion in the region.

O21-170

This failure to conduct a lawful alternatives analysis under NEPA and CEQA unfortunately colors and distorts other analysis throughout the DEIS/R. As discussed at length below, conducting a rigorous and searching procedural analysis of alternatives under NEPA provides an essential foundation for the substantive consideration of alternatives required under other laws such as the Transportation Act of

O21-121

1966 and section 404 of the Clean Water Act.⁹ By presenting a truncated analysis of alternatives under NEPA, the DEIS/R unfortunately undermines and renders impossible an adequate consideration of alternatives under both of these statutes.

O21-121

I. The DEIR Should Be Redrafted and Recirculated.

CEQA requires recirculation of a revised draft EIR "[w]hen significant new information is added to an environmental impact report" after public review and comment on the earlier draft DEIR. Pub. Res. Code § 21092.1. This includes the situation where, as here, "[t]he draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded." CEQA Guidelines § 15088.5(b)(4). The opportunity for meaningful public review of significant new information is essential "to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom." Sutter Sensible Planning, Inc. v. Sutter County Board of Supervisors, 122 Cal.App.3d 813, 822 (1981); City of San Jose v. Great Oaks Water Co., 192 Cal.App.3d 1005, 1017 (1987). An agency cannot simply release a draft report "that hedges on important environmental issues while deferring a more detailed analysis to the final [EIR] that is insulated from public review." Mountain Lion Coalition v. California Fish and Game Comm'n, 214 Cal.App.3d 1043, 1053 (1989).

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In order to cure the panoply of defects identified in this letter, the County will have to obtain substantial new information to adequately assess the proposed Project's environmental impacts, and to identify effective mitigation capable of alleviating the Project's significant impacts. CEQA requires that the public have a meaningful opportunity to review and comment upon this significant new information in the form of a recirculated draft DEIS/R.

⁹ Additionally, section 7 of the Endangered Species Act requires the development of "reasonable and prudent" alternatives when a proposed action cannot be undertaken without jeopardizing the continued existence of a threatened or endangered species or resulting in the destruction or adverse modification of that species' designated critical habitat. However, TCA is not completing a Biological Assessment until a preferred alternative is identified.

II. THE PROJECT CONFLICTS WITH NUMEROUS PROVISIONS OF STATE LAW.

In November 2002, TCA tried, and failed, to obtain a federal exemption that would exempt the proposed Foothill-South corridor from complying with the protections to state parks afforded under state law. Exh. 15. In moving to block the proposed exemption, Senators Feinstein and Boxer stated in a joint letter that the proposed toll road "would have impacts on some of Southern California's last remaining open spaces, including habitat for a number of endangered species Serious questions remain about the need for the road and the economic sensibility of the project." Exh. 15. Having sought this exemption, TCA is obviously aware of state law constraints prohibiting a toll road through a state park, yet any discussion of these limitations is notably absent from the DEIS/R. To adequately inform the public and decision-makers of the repercussions of the Project, these state law violations must be discussed in a revised DEIS/R.¹⁰

O21-123

A. The DEIS/R Fails to Discuss TCA's Obligations Under the Public Park Preservation Act.

The mitigation for pedestrian impacts in the DEIS/R mentions the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4600 *et seq.*), a general statute dealing with the federal acquisition of property, but the DEIS/R omits any discussion of the more relevant Public Park Preservation Act of 1971, Pub. Res. Code § 5400 *et seq.* See DEIS/R at 4.5-21. The Public Park Preservation Act, which applies to any park operated by a public agency, provides in part:

No city, city and county, county, public district, or agency of the state, including any division, department or agency of the state government, or public utility, shall acquire (by purchase, exchange, condemnation, or otherwise) any real property, which property is in use as a public park at the time of such acquisition, for the purpose of utilizing such property for any nonpark purpose, unless the acquiring entity pays or transfers to the

¹⁰ Moreover, an impact is significant under CEQA if the project conflicts with any applicable land use regulation adopted for the purpose of avoiding or mitigating an environmental effect. CEQA Guidelines, Appendix G, § IX. There is no reason why this criteria should not apply equally to provisions of state law adopted to protect the environment.

legislative body of the entity operating the park sufficient compensation or land, or both, as required by the provisions of this chapter to enable the operating entity to replace the park land and the facilities thereon.

Pub. Res. Code § 5401. The replacement land or compensation must be sufficient to provide substitute park land of comparable characteristics, substantially equal size, and capable of being used by generally the same persons as used the existing park. Pub. Res. Code § 5405.

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TCA's obligations under the Park Preservation Act extend at a minimum to San Onofre State Beach. SOSB is operated by the Department of Parks and Recreation and is defined under California law as part of the San Diego Coast State Seashore. Pub. Res. Code § 5001.6(b)(11)(A). However, the DEIS/R fails to identify land that meets the requirements of the statute. There is no indication that TCA would be capable of meeting this requirement. The DEIS/R must discuss TCA's obligation to replace any park land it should acquire with similar park land elsewhere and how it intends to comply with this requirement for the relevant alternatives. See, e.g., City of Fremont v. San Francisco Bay Area Transit Dist., 34 Cal.App.4th 1780, 1790 (legally adequate EIR where BART fully discussed obligation under the Public Park Preservation Act).

B. The FEC Alternatives Directly Conflict With Public Resources Code Section 5019.62.

Because SOSB is part of the San Diego Coast State Seashore, any improvements to SOSB are limited to those that enhance recreational and educational values. Pub. Res. Code. § 5001.6(b)(11)(A). As provided under Public Resources Code Section 5019.62:

The purpose of state seashores shall be to preserve outstanding natural, scenic, cultural, ecological, and recreational values of the California coastline as an ecological region and to make possible the enjoyment of coastline and related recreational activities which are consistent with the preservation of the principal values and which contribute to the public enjoyment, appreciation, and understanding of those values.

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Improvements undertaken within state seashores shall be for the purpose of making the areas available for public enjoyment, recreation, and education in a manner consistent with the perpetuation of their natural, scenic, cultural, ecological, and recreational value. *Improvements which do not*

directly enhance the public enjoyment of the natural, scenic, cultural, ecological, or recreational values of the seashore, or which are attractions in themselves, shall not be undertaken.

Pub. Res. Code § 5019.62 (emphasis added). This mandate is also incorporated into the San Onofre State Beach General Plan. SOSB General Plan (1984) at 19. Accordingly, the FEC alternatives, which propose to go through SOSB and would severely compromise its recreational and natural value, are in direct conflict with State law.

O21-124

C. The Project Is Inconsistent with the San Onofre State Beach General Plan.

A general plan serves as the “constitution for future development,” to which all subordinate land use decisions must conform. See DeVita v. Napa County, 99 Cal.4th 763, 772-73 (1995); Neighborhood Action Group v. County of Calveras, 156 Cal.App.3d 1176, 1183-84 (1984). Approval of a development project is invalid if the project is inconsistent with a “fundamental, mandatory and specific” general plan provision. Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors, 62 Cal.App.4th 1332, 1342 (1998) (FUTURE) (project inconsistent with general plan where it conflicted with land use density policy); San Bernardino Valley Audubon Soc’y v. County of San Bernardino, 155 Cal.App.3d 738, 753 (1984) (project inconsistent with general plan where it conflicted with a single policy in conservation element). The project need not present an “outright conflict” with the general plan to be considered inconsistent; the determining question is instead whether the project “is compatible with and will not frustrate the General Plan’s goals and policies.” Napa Citizens for Honest Gov’t v. County of Napa, 91 Cal.App.4th 342, 379 (2001).

O21-125

The DEIS/R asserts that SOCTIIP alternatives penetrating SOSB are consistent with the SOSB General Plan because the General Plan recognizes that the possibility of a transportation corridor through its boundaries in the Environmental Impact Element (“EIE”) of the General Plan. DEIS/R at 4.2-23. The DEIS/R effort to stretch the EIE to include the FEC alternatives is without merit. The EIE focuses exclusively on impacts of proposed improvements to the SOSB, particularly, a proposed golf course. SOSB General Plan at 51. The proposed transportation corridor, which is noted as one of three possible projects, is described as having “a major impact on Subunit 1 of San Onofre State Beach” and can in no way be interpreted as being authorized under the General Plan. SOSB General Plan at 57.

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As stated in the General Plan’s Declaration of Purpose:

San Onofre State Beach was established to make available to the people the outstanding natural beach, bluffs, and related geological, ecological, and cultural features along the northern coast of San Diego County, including important uplands east of Interstate 5 Freeway in the valley of San Mateo Creek; and to provide for the enjoyment and use of these areas in ways that take full advantage of the recreational opportunities thus afforded, while protecting the natural and cultural values of the region.

Mere reference to a potential project imposed by an outside agency in a General Plan does not make this project consistent with that plan. Here, an 8 lane highway, which would devastate the uplands of SOSB, is clearly contrary to the Park's purpose regardless of its placement to the east or west of San Mateo Creek. DEIS/R at 4.2-23.

Moreover, in a 1991 Statement of Intent Regarding Foothill Transportation Corridor, Modified C Alignment (now the alignment for all FEC alternatives through the SOSB), State Parks specifically stated:

In recognition of its mission, the State Parks has opposed and will continue to oppose the FTC-South, Modified C Alignment Alternative, which impacts state beach lands. For this reason, State Parks does not believe the FTC-South, Modified C Alignment is the environmentally superior alternative.

O21-126

Exh. 16. In an apparent effort to blunt the irreconcilable conflict between the FEC Alternatives and the SOSB General Plan, DEIS/R falsely claims that "Alternatives affecting SOSB would be four to six lanes, not up to eight lanes as cited in the SOSB General Plan." DEIS/R at 4.2-27. Descriptions of the FEC Alternatives elsewhere in the DEIS/R state that these alternatives would be four mixed flow lanes for the Initial, and eight mixed flow lanes for the Ultimate. DEIS/R, ES-7. In any event, neither is consistent with the SOSB General Plan.

In addition to violating the purpose of SOSB, the FEC Alternatives would violate specific SOSB Policies. The Aesthetic Resources Policy requires that "special scenic resources of the unit be protected from all degrading and undesirable intrusions." SOSB General Plan at 27. A transportation corridor through the heart of SOSB conflicts with this policy.

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With regard to Native American resources, it is the Parks Department policy "to maintain the remaining integrity of [Native American] sites, and to preserve them

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from further human and natural degradation.” SOSB General Plan at 35. Construction activities associated with road construction would disturb and degrade these resources in direct contravention of this policy.

O21-128

Any construction of a toll road alternative within SOSB would require Parks Department approval. Sts. & Hy. Code § 122 (“Any construction, improvement or maintenance of a highway, other than State highways, within state parks shall be subject to the approval of the park authority.”)¹¹ Because the project is inconsistent with the SOSB General Plan, such approval cannot be obtained. These inconsistencies need to be disclosed and analyzed in the DEIR.

O21-129

III. THE FEC ALTERNATIVES VIOLATE THE TERMS OF THE LEASE AGREEMENT FOR SAN ONOFRE STATE BEACH.

The FEC Alternatives would require an easement through SOSB. Due to the magnitude of impacts from the FEC Alternatives to the SOSB and the DEIS/R’s utter failure to mitigate these impacts, the FEC Alternatives are specifically prohibited by the Department of Parks and Recreation’s lease agreement with the U.S. Department of Defense. Part II(C) of this agreement provides:

This Lease is subject to all outstanding easements and rights of way for location of any type of facility over, across, in and upon the Leased Property, or any portion thereof, and to the right of the government, after consultation with Lessee as to location, to grant such additional easements and rights of way over, across, in and upon the Leased Property as it shall determine to be in the public interest; Provided, that any such additional easement or right of way shall be located so as not to unreasonably interfere with the use of Lessee’s improvements erected on the Leased Property; and Provided, further, that any such additional easement or right of way shall be conditioned on the assumption by the Grantee thereof of liability to Lessee for such damages as Lessee shall suffer for property destroyed or property rendered unusable on account of Grantee’s exercise of rights thereunder.

O21-130

The FEC Alternatives would bifurcate Subunit 1 of the SOSB and result in the likely abandonment of the San Mateo Campground and its associated improvements.

¹¹ Toll roads constructed and administered by TCA are not within the possession and control of Caltrans and are therefore not “State highways” subject to the exemption to the requirement of Parks Department approval. See Sts. & Hy. Code §§ 24, 90.

as well as severe overall diminishment of the park's recreational resources. Exh. 17. Because the FEC Alternatives would unreasonably interfere with SOSB improvements, the Lease Agreement prohibits the grant of an easement across SOSB to TCA. Moreover, even in the event such an easement is granted, TCA must compensate for the loss of park resources. The DEIS/R fails to identify mitigation which remotely approaches the level and type of compensation required to compensate for the loss of this unique and irreplaceable resource.

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IV. ALTERNATIVES THROUGH THE DONNA O'NEILL CONSERVANCY VIOLATE THE TERMS OF THE CONSERVATION EASEMENT ESTABLISHING THE CONSERVANCY AND WOULD REQUIRE SUBSEQUENT ENVIRONMENTAL REVIEW FOR THE TALEGA DEVELOPMENT.

The Donna O'Neill Land Conservancy, formerly the Rancho Mission Viejo Land Conservancy, was set aside as permanent open space 12 years ago as a condition of approval for the nearby Rolling Hills project, now Talega of San Clemente. The Talega development contemplates approximately 3,700 homes, of which only 1,850 are currently built. Because the Talega development did not propose to retain open space on the Talega property, a 1165-acre Easement Area, which became the Conservancy, was selected on Rancho Mission Viejo. To mitigate the impacts from the Rolling Hills development, the Talega developer paid owners of Rancho Mission Viejo \$10,000,000 for a conservation easement on their property.

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The land constituting the Conservancy ("Easement Area") was selected for its high biological value. Native Valley grasslands are the best in Southern California and the Area includes 6,000 oak trees. As recognized in the agreement forming the Conservancy, "[t]he Easement Area's natural elements, ecological, scientific and aesthetic values are of great importance to the people of the State of California, the people of the County of Orange, Grantor and Grantee, and are worthy of protection and preservation." Exh. 18, Deed of Conservation Easement, Recitals H. The diversity and unique nature of the site compared to the surrounding land is apparent in aerial photographs. See, e.g., Project Alternatives Technical Report Volume II, FEC - Ultimate Alternative, Sheets 3 and 4.

The Easement was created by the County of Orange, the City of San Clemente, and Rancho Mission Viejo. The Grantee, now called The Donna O'Neill Land Conservancy, was organized to oversee the Easement and to provide public access to the land. As set forth in the Conservation Easement establishing the Conservancy, "[t]he

parties desire that the Easement Area's ecological elements, scientific and aesthetic features and values be preserved and maintained in perpetuity by the continuation of such uses in the Easement Area as may be conducted consistent with the conservation values protected herein." Exh. 18, Deed of Conservation Easement, Recitals I.

The Deed of Conservation Easement is clear that a transportation corridor running through the Conservancy is inconsistent with the conservation values of the Conservancy. Recital K of the Deed of Conservation Easement states:

Grantor and Grantee recognize that a transportation corridor is being planned and may be located *in proximity to* the Easement Area and have determined that the Corridor will not be inconsistent with the protection of conservation values within the Easement Area.

Exh. 18. In addition, maps included in the documentation forming the Conservancy show the proposed foothill transportation corridor outside the Conservancy's boundaries. Exh. 18.

The Irrevocable Offer of Dedication is also clear that: 1) establishment of the conservancy is a specific condition of approval of the Talega development; and 2) any future transportation corridor would be located outside the Conservancy. Exh. 18. Irrevocable Offer of Dedication, Recitals A through E. Thus, the FEC Alternatives, which pass through and not around the Conservancy violate the terms of the Agreement.

Thus, the FEC Alternatives, all of which pass through the Conservancy to some degree, violate the Agreement. Further, the Conservancy was mitigation for the impacts of a prior development, which was approved on the condition that the Conservancy was created as envisioned in the Conservation Easement. The Talega development has not yet been completed. Numerous discretionary approvals are still required, including approval of a 10-acre commercial site south of Avenue Vista Hermosa as well as final maps for several sections of the development. Drastically altering the conditions of approval of the Talega development as contemplated under the FEC Alternatives constitutes a substantial change in the that original project which will require a subsequent EIR. Pub. Res. Code § 21166.

O21-13

O21-13

V. THE DEIS/R VIOLATES SECTION 4(f) OF THE DEPARTMENT OF TRANSPORTATION ACT.

In enacting section 4(f) of the Department of Transportation Act of 1966, Congress declared that "special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands." 49 U.S.C. § 303. As a means of realizing these broad goals, Congress specified two fundamental substantive mandates under the Act: (1) prohibiting federal agencies from approving transportation projects that require use of a public park or recreation area unless there is no feasible and prudent alternatives to using the parkland; and (2) requiring transportation projects which use a public park or recreation area to include all possible planning to minimize harm to the parkland. U.S.C. § 303(c). The Transportation Act thus codified the requirement that federal agencies consider alternatives to environmentally damaging proposals several years before this principle was enshrined as a core provision of the National Environmental Policy Act. The Act's provisions are even more stringent than NEPA's, however, in that they provide substantive direction that alternatives to proposed highway routes which would destroy public parks must be developed when such alternatives are feasible and prudent.

Authoritative interpretation of federal agencies' duties under this provision was first established and continues to be provided by the 1971 Supreme Court decision in Citizens to Preserve Overton Park, Inc. v. Volpe, 401 U.S. 402, in which the Court overturned the Secretary of Transportation's approval of a six-lane highway through a park in Memphis, Tennessee. In reaching its decision, the court held that "only the most unusual situations are exempted" from the 4(f) mandate. The court further elaborated that only "unique problems" such as extreme financial costs or community disruption of "extraordinary magnitudes" would constitute such "unusual situations." Id. at 411, 413.

As stated by Justice Marshall, the "very existence" of section 4(f) demonstrates "that protection of parkland was to be given paramount importance." Id. at 412-413. By holding that only alternatives which included additive costs or community disruption of "extraordinary magnitude" could justify an exemption to section 4(f), the Court made clear that choosing a siting alternative that requires use of a public park or recreation area simply because it is the least expensive or most efficient choice does not meet the rigorous mandate of the provision. Overton Park thus sharply limits the

discretion of federal agencies in approving proposed transportation projects affecting 4(f) resources.¹² O21-133

A. Section 4(f) Applies to San Onofre State Beach.

We dispute TCA's contention that 4(f) "does not apply to parkland within Camp Pendleton that is leased by the State of California," pursuant to legislation enacted by Congress known as the National Defense Authorization bill for Fiscal Year 2001. As an annual appropriations bill, the Authorization Act's provisions are presumed to only apply within the year for which they are expressly applicable-in this case, fiscal year 2001. See Atl. Fish Spotters Ass'n v. Evans, 321 F.3d 220, 224 (1st Cir. 2003)("[a] provision in an annual appropriations bill presumptively applies only during the fiscal year to which the bill pertains.").

The presumption of temporary applicability is further strengthened when provisions of appropriations bills purport to amend or override existing substantive law. In fact, a long line of cases dating to at least the 19th century-including many Supreme Court holdings - stand for the proposition that any change in existing law made within an appropriations bill applies only to the fiscal year for which the bill was passed unless Congress provides to the contrary with affirmative and express language of permanence or "futuraity." Minis v. United States, 40 U.S. 423 (1841); see Atl. Fish Spotters, 321 F.3d at 224-25 ("The rule, then, is that Congress may create permanent, substantive law through an appropriations bill only if it is clear about its intentions" with "statutory language that affirmatively defies temporal limitation"); Bldg. & Constr. Trades Dep't, AFL-CIO v. Martin, 961 F.2d 269, 273-74 (D.C. Cir. 1992) ("a provision contained in an appropriations bill operates only in the applicable fiscal year, unless its language clearly indicates that it is intended to be permanent."); United States v Int'l Bus. Mach. Corp., 892 F.2d 1006, 1009 (Fed. Cir. 1989)("While the underscored provision does not itself indicate whether it was restricted to fiscal year 1977, because it is contained in an appropriations act and because it is unaccompanied by words of futurity, we presume that it was."), citing United States v. Vulte, 233 U.S. 509 (1914). O21-13

Federal courts have thus correctly established a high bar for interpreting provisions as permanent in what are otherwise temporary appropriations bills. This

¹² The standards outlined in the Overton Park case have been codified by the Department of Transportation's section 4(f) implementing regulations at 23 C.F.R. § 771.135.

stringent standard has become increasingly important in recent years as legislators have shown less hesitation and embarrassment in using appropriations "riders" to dictate public policy as well as to eviscerate hard fought legislative accomplishments that often represent decades of negotiation, experience and compromise. As stated by one commentator, "[r]iders have been used with particularly destructive effect to circumvent long-standing environmental policies, especially those involving the use of natural resources and public lands." Sandra Beth Zellmer. "Sacrificing legislative integrity at the altar of appropriations riders: A Constitutional crisis." 21 Harv. Env'tl. L. Rev. 457 (1997). Riders short-circuit democratic principles and open debate by allowing otherwise unrelated provisions to be attached to legislation that either must pass, such as annual appropriations bills, without having to survive the scrutiny of committee hearings and markups or the rigors of full floor debates.

O21-134

In this case, TCA has attempted to circumvent a democratically enacted provision of the Transportation Act in order to build a toll road through one of the most popular state parks in southern California-San Onofre State Beach. Ron Packard (R) facilitated the placement of the rider on the Defense Authorization Bill in order to, in his words, "move the process along." The plain language of Packard's provision, however, clearly fails to overcome the presumption against finality in appropriations bills. In fact, the language contains no attempt to create an expectation of "futurity," or to address any applicable time period at all. In the absence of such clear language, Congress's override of section 4(f) in relation to San Onofre State Beach and proposed State Route 241 thus expired at the end of Fiscal Year 2001, and TCA and the Federal Highway Administration must conduct a thorough, substantive, and lawful 4(f) analysis that only permits roads through parklands where there are no "feasible and prudent" alternatives.

B. The DEIS/R Analysis Fails to Disclose or Address the Magnitude of Impacts the FEC Alternatives Will Have on 4(f) Resources, in Particular San Onofre State Beach.

The DEIS/R's section 4(f) evaluation, contained at appendix H to the document, acknowledges that all of the action alternatives, with the exception of the I-5 alternative, will result in the permanent use of section 4(f) properties. For example, the various configurations of the central corridor will impact the proposed San Juan Creek regional park as well as several open space areas, sports fields at both San Clemente High School and Ole Hanson Elementary School, and San Clemente State Beach. All of the toll-road alternatives as well as the AIO alternative would cross the proposed San Juan Creek regional park and San Juan Creek trail extension.

O21-135

While all toll-road alternatives and the AIO alternative thus trigger the protections of section 4(f), the "far east" corridor alternatives will have especially devastating impacts on 4(f) resources-most notably San Onofre State Beach. As stated at page H-12 of the appendix, FEC corridors will "result in the permanent acquisition and use of property from the existing San Onofre State Beach Christianitos Subunit 1 and San Onofre State Trestles Subunit 2." In fact, the FEC alternatives will destroy more than 600 acres of San Onofre State Beach, and will require the abandonment of the Christianitos Subunit 1. None of the other action alternatives, both toll-road and non toll-road would impact even a fraction of this area.

O21-155

Despite the undeniable devastating impacts which the FEC routes would have on San Onofre State Beach, and the fact that these impacts are unique among all the action alternatives, the DEIS/R's section 4(f) evaluation does little to address this fundamental distinction among the alternatives-another example of the failure to address the fact that the FEC alternatives will have a much more profound and adverse effect on the environment than any of the other alternatives. The essential point that the FEC alternatives alone will require "use" of San Onofre State Park, and that the magnitude of impacts to this state park far outweigh any other potential impacts to 4(f) resources under all other alternatives, goes unaddressed within the DEIS/R.

Indeed, instead of addressing differences between alternatives, the DEIS/R only addresses the feasibility and prudence of avoiding 4(f) resources within the proposed corridors of each alternative. Under the plain language of the statute, and as the Supreme Court made clear in Overton Park, the essential endeavor of a lawful and legitimate 4(f) evaluation is to choose alternative routes which avoid 4(f) resources when such routes are feasible and prudent, not to evaluate the possibility of such avoidance in already determined corridors. Such an inquiry, while important, is reserved for the second prong of 4(f) requirements: minimizing all possible harm to parkland when there are no feasible and prudent routes which would avoid the parkland altogether.

O21-156

By conflating these two standards, the DEIS/R fails to honestly and directly address the most important 4(f) inquiry raised by the proposal: is there a feasible and prudent alternative to the proposed routing of State Route 241 through the heart of San Onofre State Beach? The fact that the document acknowledges that all action alternatives will "meet the project purpose and need because they all provide some level of traffic relief," page 1-19 and table 1.7-1 at page 1-25, strongly illustrates that such alternatives do exist, and that approving any of the FEC alternatives would violate the important mandate of section 4(f).

O21-157

C. The DEIS/R Analysis Improperly Fails to Include the Donna O'Neill Land Conservancy Within Its Section 4(f) Analysis.

As noted elsewhere in this letter, the Donna O' Neill Land Conservancy was created recently as mitigation for the large Talega development within the city of San Clemente. As the Talega developers could not find room for open space within their project, a 1165-acre easement was selected on Rancho Mission Viejo, which then became the Conservancy. It is truly a testament to the myopia of the southern California development community and entities such as the TCA that the proposed south Foothills tollroad would now destroy a large component of this area which was only recently set aside as compensation for destruction of other habitat. Under the provisions of section 4(f) of the Transportation Act, it is also illegal.

Under the terms of the Deed of Conservation Easement establishing the Conservancy, the land was clearly intended to function as a public park. The Deed thus states that "[t]he parties desire that the Easement Area's ecological elements, scientific and aesthetic features and values be preserved and maintained in perpetuity by the continuation of such uses in the Easement Area as may be conducted consistent with the conservation values protected herein." Exh. 18, Deed of Conservation Easement, Recitals I. "Such uses" have and continue to include many different types of public use and enjoyment, including guided nature walks, picnic facilities, horseback riding, and overnight camping. Exh. 11 (Conservancy Newsletter).

Appendix I of the DEIS/R acknowledges that all of the FEC alternatives will involve the "permanent acquisition and use" of the Donna O'Neill Land Conservancy. In the first EIS/R for this project, the FEC alternatives would have avoided the property. Such avoidance is clearly contemplated and expected by the terms of the deed establishing the area, which state that "Grantor and Grantee recognize that a transportation corridor is being planned and may be located in proximity to the Easement area . . . ". Exh. 18. Nonetheless, the DEIS/R now astoundingly contemplates that all FEC alternatives will use the Conservancy.

Appendix I nonetheless attempts to discount and minimize the potential impacts to the Land Conservancy by stating at page 10 that all of the project alternatives "will impact one or more existing or proposed privately or publicly owned recreation resources," and that therefore, choosing alternatives besides FEC "could result in greater impacts on other recreation resources." As discussed in the above discussion regarding San Onofre State Beach, this disingenuous argument must fall under its own weight given the overwhelmingly greater impacts which the FEC alternatives will have on 4(f)

O21-138

O21-139

resources than any of the other action alternatives. The fact that the FEC alternatives will not only essentially destroy not only San Onofre State Beach, but Donna O'Neill Land Conservancy as well, only provides further emphasis to this conclusion. The DEIS/R's obvious attempt to downplay these differences among alternatives, by claiming that all will impact some 4(f) resources, cannot escape the clear fact that the FEC alternatives alone will destroy these two irreplaceable and priceless areas.

O21-10

D. The DEIS/R Fails to Consider Constructive Use of 4(f) Resources.

The FEC alternatives will have undeniably egregious impacts on 4(f) resources, particularly San Onofre State Beach and Donna O'Neill Land Conservancy. Each of the FEC route possibilities will impact hundreds of acres within each of these parks, through direct impacts and use caused by the actual siting of the road and associated infrastructure. Yet the analysis provided fails to address to full extent of the "use" of these areas under section 4(f) of the Transportation Act by not addressing the additional "constructive" use of the tollroads caused by noise and other impacts.

O21-14

The application of section 4(f) to constructive use has been recognized by the courts in a wide variety of circumstances. The 9th Circuit was the first to recognize such circumstances and has continued to do so. In Brooks v. Volpe, 460 F.2d 1193, 1194 (9th Cir. 1972), for example, the court found that a highway encircling a campground was subject to section 4(f) despite the fact that there was no actual use of protected lands. Since then, federal courts have found constructive use of section 4(f) lands resulting from such impairments as increased noise, unsightliness, and impaired access. See, e.g., Citizens Against Burlington, Inc. v. Busey, 938 F.2d 190, 202 (D.C. Cir. 1991) (holding noise from airport expansion would impact nearby park); Citizen Advocates for Responsible Expansion, Inc. v. Dole, 770 F.2d 423, 439 (5th Cir. 1985) (holding highway project would cause aesthetic and visual intrusion on protected park and historic buildings); Monroe County Conservation Council v. Adams, 566 F.2d 419, 424 (2d Cir. 1977) (holding highway would restrict access to park because nearby residents would have to cross four lanes of heavy traffic).

The DEIS/R's failure to consider constructive use results in a severely skewed analysis in this case. For example, the FEC alternatives would bifurcate the Christianitos Subunit of San Onofre State Beach and would also destroy the trail connecting the San Mateo Campground with Trestles Beach. Additionally, the FEC alternatives may entail removal of old U.S. 101, another main access point to Trestles, as well as a connector between Christianitos and Basilone roads. These impacts, in

O21-141

conjunction, would thus essentially impact 100% of San Onofre State Beach under section 4(f), a fact that is avoided by not considering such constructive uses.

O21-141

Noise impacts are also not properly considered. As discussed in detail in this letter, sound levels in excess of approximately 55 dB DNL will trigger the EPA's safety levels for areas with outdoor uses, such as San Onofre State Beach and Donna O'Neill Land Conservancy. As both the State Beach and Conservancy are less than one mile wide, the noise impacts from a new tollroad will clearly impact both areas, constituting constructive use under section 4(f).

O21-142

E. There Are No Unique Problems That Justify an Exception to the Section 4(f) Mandate for the FEC Alternatives.

As the Supreme Court held in Overton Park, "only the most unusual situations are exempted" from the 4(f) mandate. These situations include "truly unusual factors" demonstrating that alternatives to the proposed action present "unique problems" or require costs or community disruption of "extraordinary magnitudes." 401 U.S. at 411, 413. The 9th Circuit has subsequently interpreted this exception quite narrowly, holding that an alternative that required dislocation of several residences and businesses and cost millions of additional dollars did not justify an exception to section 4(f). Stop H-3 Ass'n v. Dole, 740 F.3d 1442, 1451-52 (9th Cir. 1984). As discussed above, the DEIS/R artificially attempts to present non-toll road alternatives as rigid and inflexible choices that require extensive destruction of homes and businesses. Yet, because non-toll road options are acknowledged to provide feasible alternatives to meeting the project's stated purpose and need, FHWA and TCA are required by both NEPA and section 4(f) to more fully explore variations to these alternatives which would mitigate and avoid such community disruptions.

O21-143

The need to rigorously meet the mandate of section 4(f) is especially urgent in this case. San Onofre State Beach is an immensely popular area and an irreplaceable part of southern California's culture and history. The camping, surfing, and recreation opportunities provided by both the inland and coastal components of the park and surrounding area are literally irreplaceable and unmitigable. There are simply no other comparable areas left in southern California, because urbanization and progress have enveloped nearly every square inch of this fabled landscape.

As important as the State Beach area is to human well-being, it is equally essential for many imperiled and rare species, including several species protected by the Endangered Species Act. The watershed of San Mateo Creek is likely the most unspoiled

in all of Orange County, and is one of the most intact coastal watersheds in the entire state. The increased erosion and sedimentation into the Creek that would undoubtedly occur should the FEC alternatives be constructed would irreversibly damage this habitat. The increased human presence and associated trash, toxins and general degradation that accompany freeway construction would ensure this present haven would no longer exist.

Not only would the proposed FEC routes "use" the San Onofre State Beach area in contravention of section 4(f), it would literally wipe an entire subunit of the Park from the map. As acknowledged by the DEIS/R, the FEC alternatives would destroy in excess of 600 acres of the park, close to one-third of its total acreage. Impacts from the FEC are so severe that the Parks Department has indicated it would abandon the 1,182-acre Subunit #1 in the event an FEC Alternative were approved. Exh. 8 & 9. The cultural, historical, community, and environmental importance of San Onofre, which would all suffer devastating impacts under FEC routes, are precisely the types of impacts which Congress directed federal agencies to avoid when it passed the Transportation Act nearly 40 years ago. The fact that the TCA has shamelessly and undemocratically attempted to exempt itself from its provisions through a legislative rider only underscores the obvious illegality of the FEC alternatives.

O21-14

VI. THE AGENCIES MUST COMPLETE AND CONSIDER A REVISED MAJOR INVESTMENT STUDY.

The MIS and related requirements were imposed by FHWA to reflect the "significantly altered nature of . . . metropolitan transportation decisionmaking" mandated under the Intermodal Surface Transportation Efficiency Act ("ISTEA") and in particular to "more broadly account for environmental and intermodal considerations." 58 Fed. Reg. 12064, 12065 (1993). Two main purposes of the MIS requirement are: (1) to "broaden the consideration of options earlier in the [transportation] process such that local and state officials are provided a broader array of choices"; and (2) to "substantially improve the linkage between the planning process and environmental review process required under the National Environmental Policy Act and other statutes." 58 Fed. Reg. 58040, 58055 (1993) (FHWA section-by-section analysis of Final Rule). Specifically, an MIS is intended to "compare the alternatives in terms of environmental impacts, displacements, transportation impacts, capital and operating costs, societal impacts, cost effectiveness or cost benefit, and the financial feasibility of the various option." Foothill Transportation Corridor South Major Investment Study at 1-1 (1996); 23 C.F.R. § 450.318(c) (MIS "shall evaluate the effectiveness and cost-effectiveness of alternative investments or strategies in attaining local, State and national goals and objectives").

O21-144

Although the MIS requirement can be integrated as part of the NEPA analysis, the DEIS/R fails to fulfill MIS objectives. See Township of Belleville v. Federal Transit Administration, 30 F.Supp.2d 782, 795 (D. N.J. 1998) (MIS mandated, as appropriate, as part of the analysis required under NEPA). Even assuming the DEIS/R adequately addresses the Project's environmental impacts, as already discussed, the DEIS/R fails to discuss in any detail the costs or financial feasibility associated with any of the SOCTIIP Alternatives despite the inclusion of these objectives in the NEPA Purpose and Need Statement. This significant omission compromises the ability of the public and decision-makers to properly evaluate and compare the costs and benefits of each alternative. Moreover, the financial feasibility is particularly relevant considering the recent financial failures of the San Joaquin Toll Road. Financial feasibility and the costs of each alternative are also not adequately discussed in the MIS conducted in 1996, which is severely outdated and only addresses the FEC Alternatives. Thus, a significant change in circumstances renders the prior MIS inadequate. Accordingly, a revised MIS must be prepared to evaluate the Project as currently proposed, with a particular emphasis on the capital and operating costs, cost effectiveness or cost benefit, and the financial feasibility of each SOCTIIP Alternative. See Township of Belleville, 30 F.Supp.2d at 804 (changed circumstances would require preparation of a new MIS).

O21-144

VII. SECTION 404 OF THE CLEAN WATER ACT PROHIBITS THE APPROVAL OF TOLL ROAD ALTERNATIVES.

Section 404 of the Clean Water Act directs that the Army Corps of Engineers may only issue permits for the "dredge and fill" of materials into navigable waters in accordance with EPA guidelines. 33 U.S.C. § 1344(b). The Corps' duties under this provision are separate from its and FHWA's responsibilities under NEPA, and the Corps must exercise its own independent judgment in deciding whether to issue the permit. 33 C.F.R. § 230.21. Where the Corps has "substantial doubt as to technical or procedural adequacy or omission of factors important to the Corps decision," it must prepare its own supplemental EIS. Id. In such cases, the applicant, in this case TCA, must provide all the necessary information in order to complete this analysis. 33 C.F.R. Part 325, App. B, ¶ 3.

O21-145

A. The Clean Water Act Establishes Multiple Presumptions That Practicable Alternatives to the Proposed Toll Road Exist.

Pursuant to its 404 guidelines, the Army Corps is directed that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic

O21-146

ecosystem, so long as the alternative does not have other significant adverse environmental consequences." 40 C.F.R. § 230.10(a). A "practicable" alternative is one that is "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." *Id.* at § 230.10(a)(2). Thus, the EPA section 404 guidelines establish a substantive presumption against all discharges into aquatic ecosystems when practicable alternatives to such discharges exist. Where the applicant fails to overcome the "formidable evidentiary burden" of this presumption, courts have repeatedly overturned the Army Corps' issuance, or upheld its denial of, section 404 permits. Hough v. Marsh, 557 F. Supp. 74, 82 (D. Ma. 1982); Friends of the Earth v. Hall, 693 F. Supp. 904 (W.D. Wash. 1988); Shoreline Assoc. v. Marsh, 555 F. Supp. 169, 179 (D. Md. 1983), *aff'd* 850 F.2d 36 (2d Cir. 1988).

O21-146

This general presumption is further strengthened when projects will adversely impact "special aquatic sites." In fact, the Corps' burden in choosing the least damaging practicable alternative is heaviest in cases, such as the present, which involve non-water dependent projects that will impact one or more "special aquatic sites." See Holy Cross Wilderness Fund v. Madigan, 960 F.2d 1515, 1524 (10th Cir. 1992). "Special aquatic sites" are defined as "geographic areas, large or small, possessing special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values," and are "generally recognized as significantly contributing to the general overall environmental health or vitality of the entire ecosystem of a region." 40 C.F.R. § 230.3 (q-1).

O21-14

In cases involving special aquatic sites, the general presumption of practicable alternatives is thus further strengthened by the further presumption that there are "practicable alternatives that do not involve special aquatic sites" and that these alternatives do "have less adverse impact on the aquatic ecosystem." 40 C.F.R. § 230.10(a)(3). This second presumption holds unless "clearly demonstrated otherwise." *Id.* The Corps may thus not issue a § 404 permit unless the applicant, "with independent verification by the [Corps], . . . provides detailed, clear and convincing information proving" that an alternative with less adverse impact is "impracticable." Utahns for Better Transp., 305 F.3d at 1186-87 (requiring denial of a permit "where insufficient information is provided to determine compliance"); see also Greater Yellowstone Coalition v. Flowers, 321 F.3d 1250, 1262 n.12 (10th Cir. 2003) ("Under the CWA, it is not sufficient for the Corps to consider a range of alternatives to the proposed project: the Corps must rebut the presumption that there are practicable alternatives with less adverse environmental impacts.").

O21-146

B. The Agencies Have Failed to Overcome the Presumption That Practicable Alternatives Exist.

As acknowledged by the public notice for the 404 permit application, all of the alternatives considered for the proposed project will involve enormous amounts of dredged and fill material being introduced into navigable waters. On page 5, the notice states that "[d]epending on the alternative, the total volume of fill material ranges from approximately 3 million cubic yards (cy) to 44 million cy and 56 million cy for the "Initial" right-of-way and "Ultimate" right-of-way, respectively."

Notably, TCA "has not calculated the quantity of fill material that would be discharged . . . for each of the proposed build alternatives." The Notice also fails to specifically address which alternatives will impact "special aquatic sites," or what the predicted effect on such areas will be. Each of these failures necessarily precludes the precise, quantitative comparison demanded by section 404's "practicable alternatives" requirement, as well as its requirement that special aquatic sites be avoided. O21-149

The notice does provide, however, estimates of "the footprints of direct impacts" which clearly demonstrate that all toll road alternatives will have particularly extensive impacts on aquatic ecosystems—a fact that is systematically glossed over throughout the DEIS/R. Each variation of both the FEC alternatives and central corridor alternatives are estimated to impact at least 38.7 acres of riparian ecosystems, with most closer to 50 acres. In contrast, the proposed non-toll road alternatives, I-5 and AIO, are estimated to impact only 13.7 and 9.2 acres of riparian ecosystems.

As the DEIS/R acknowledges all action alternatives meet the stated purpose and need of the project, all are presumed "practicable" under the definition of section 404 and the agency is thus precluded from approving any variations of the toll road alternatives without the "clear demonstration" of "convincing information" that all other alternatives are impracticable. This is especially true in light of the fact that the toll road alternatives will impact, on average, nearly four times the aquatic acreage of the non-toll road alternatives which are considered, not to mention the total absence of effects under the "no action" alternative. O21-150

Additionally, and as discussed at length in the sections of this letter addressing alternatives analysis under NEPA and section 4(f) of the Transportation Act, the DEIS/R has failed to consider a reasonable range of feasible alternatives. In particular, TCA and FHWA have systematically turned a blind eye to non toll road alternatives aside from the limited and biased examination given to the AIO and I-5 alternatives. A O21-151

thorough and honest examination of all non toll road alternatives, including mass transit options, selective double-decking of I-5, strategic widening of I-5 and arterial routes, as well as combinations of these options, should have been included in the DEIS/R under both NEPA and the Transportation Act. Just as the truncated and rigid examination of the only the I-5 and AIO alternatives fails to meet the reasonable range mandate of NEPA and 4(f)'s direction to address all "feasible" alternatives, it also falls short of the "practicable" examination of alternatives demanded by section 404 of the Clean Water Act.

O21-151

Of additional concern under the CWA in this case is the clear effect which toll road alternatives, especially the FEC alternatives, will have on species listed under the Endangered Species Act, particularly steelhead trout, Pacific pocket mouse, and tidewater goby. The CWA guidelines define "aquatic ecosystem" to mean "waters of the United States, including wetlands, that serve as habitat for interrelated and interacting communities and populations of plants and animals." 40 C.F.R. § 230.3(c). Guideline § 230.30 specifically acknowledges that "nesting areas, protective cover, adequate and reliable food supply, and resting areas for migratory species" may be "elements of the aquatic habitat" that are "particularly crucial to the continued survival of some threatened or endangered species." *Id.* at § 230.30(b)(2). A discharge of dredged or fill material may adversely affect these species either by directly impacting these elements, *id.*, or by "facilitating incompatible activities," *id.* § 230.30(b)(3) (emphasis added).

O21-152

Not coincidentally, most of the listed species that would be impacted by the proposal, in particular the steelhead trout and tidewater goby, are dependent upon the "special aquatic sites" which must be avoided under section 404 regulations. Areas explicitly included within this definition include sanctuaries and refuges, wetlands, mud flats, and vegetated shallows. *Id.* at §§ 230.40-.45. The FEC alternatives pose particular risks to these "special aquatic sites," particularly San Mateo Creek and its large wetlands and marsh outflow area to the Pacific Ocean at Trestles surfing beach. (including one component of the "Uppers" section of Trestles known as "rivermouth.")

O21-153

Additional comments on the 404 permit application are included in the attached expert technical report by Michael D. White, Ph.D. of Conservation Biology Institute, which is hereby incorporated by reference. Attach. F.

O21-154

CONCLUSION

For the reasons set forth above, we request that TCA, FHWA, and ACOE prepare and recirculate a revised EIR/S that complies with CEQA and NEPA. The

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Comments on the DEIS/R for the Foothill South Toll Road Project
August 5, 2004

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revised DEIS/R should also analyze the Project's consistency with section 4(f) of the Department of Transportation Act as well as issues pertaining to section 404 of the Clean Water Act and the provisions of state law concerning public parks set forth above. O21-155

Very truly yours,



Matthew Vespa

SHUTE, MIHALY & WEINBERGER LLP



Brian Segee

DEFENDERS OF WILDLIFE

LIST OF ATTACHMENTS
REPORTS PREPARED BY EXPERT CONSULTANTS

- A. Traffic Report**
Dr. Caroline Rodier
- B. Traffic Report**
Stephen Lowens
- C. Biological Resources Report**
Dr. Wayne Spencer
Conservation Biology Institute

Robb Hamilton
- D. Air Quality Report**
Schulyer Fishman
SBF Consulting
- E. Hazardous Waste/Water Quality Report**
Matt Hagemann
Soil Water Air Protection Enterprise (SWAPE)

CD of Supporting Documentation Enclosed
- F. Public Notice for 404 Permit Report**
Dr. Michael D. White
Conservation Biology Institute

**Review of the South Orange County
Transportation Infrastructure Improvement
Project EIS/SEIR**

by

Caroline Rodier, Ph.D.

**for the Endangered Habitats League,
the Sierra Club, Sea and Sage Audubon Society, Defenders of Wildlife, and
the Natural Resources Defense Council**

August 4, 2004

SUMMARY AND CONCLUSIONS

- Induced travel is predicted from the basic economic law of supply and demand. An increase in the supply of highway capacity, will increase auto travel speeds, reduce auto travel time costs, and increase auto travel demand, all else being equal. The occurrence of induced travel has been verified by the scientific research community. O21-156
- Near-term (few years) induced travel effects from new highway capacity include changes in destination choice (or trip distribution). For example, if a new highway makes auto travel times faster from a residential suburban development to a regional super-discount store, then travelers will be more likely to shop at that store than their local market. O21-157
- Longer-term (over ten years) induced highway travel effects include changes in households and employment location, development, and land consumption. For example, if a new highway provides faster travel auto times from an outlying suburb to downtown Los Angeles, then some may trade a longer commute for a larger, less expensive home. O21-158
- The empirical literature indicates that the elasticity of vehicle miles traveled (VMT) with respect to lane miles (the most common scientific measure of induced travel) ranges from 0.3 to 1.0 in the long-term. Thus, a ten percent increase in highway lane miles should produce a three to ten percent increase in VMT. Existing travel and land use models are capable of representing induced highway travel within the range predicted by the empirical literature when travel times are represented consistently in each sub-model (via "feed back"). O21-159
- In a model without feed back, the estimate of travel time and cost will be different in each sub-model. For example, it will predict destination choice based on auto travel times that are faster than actual roadway conditions. As a result, destinations farther way (e.g., regional super-discount store versus local market) will be chosen more frequently than they would have given actual roadway conditions. Inaccurate input travel time produces inaccurate output travel forecasts. This is the travel modeling equivalent to "garbage in, garbage out." O21-160
- The SOCTIIP travel demand analysis does not represent induced travel; changes in travel time that result from the highway alternatives have no effect on origin and destination patterns (trip distribution) or land use patterns. The literature indicates that feed back to trip distribution and the land use sub-models are essential to representing induced highway travel (accounting for almost 100 percent) in current modeling tools. Best practice has required feed back to trip distribution for over ten years. Moreover, a local study of toll roads in Orange County found that these roads had a significant effect on land use patterns. O21-161
- The EIS/SEIR describes un-documented tests to justify their failure to implement feed back in the model. None of these tests check the consistency (and thus accuracy) of O21-162

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| travel time between the OCTAM3.1 and the SCSAM model, which are jointly used in the alternative travel analysis. The output travel times from the SCSAM model will be different from the input travel times of the OCTAM3.1 model because of significant differences in the models (1) networks, (2) zonal land use data, (3) truck travel data and (4) traffic assignment model parameters. In sum, none of the tests cited in the documentation are valid justifications for using fixed trip tables in both OCTAM3.1 and SCSAM. | O21-162 |
| ➤ Because induced travel was not represented in the SOCTIIP analysis auto travel, congestion, and vehicle emissions will be underestimated relative to the no-build alternative. The literature indicates that the magnitude of this underestimate is significant (e.g., 70 to 100 percent for VMT, 16 to 236 percent of vehicle hours traveled (VHT), and 72 to 192 percent of NOx vehicle emissions). | O21-163 |
| ➤ The EIS/SEIR incorrectly cites the calibration results of the model as evidence of the model's accuracy. Calibration results indicate how well the model has been adjusted to match the same data used to develop the model. This is not a measure of model accuracy. Model accuracy must be determined by comparing model predictions against data that was not used to develop the model. | O21-164 |
| ➤ The EIS/SEIR includes only highway alternatives. The literature indicates that auto pricing policies may be more effective at reducing congestion with lower financial and environment costs. | O21-165 |
| In its current form, the EIS/SEIR does not form an adequate basis for informed decision-making. The EIS/SEIS needs to be revised as follows: | O21-166 |
| ➤ Travel times must be treated consistently throughout the model hierarchy both within the OCTAM3.1 and between the OCTAM3.1 and the SCSAM model and convergence must be documented. | |
| ➤ Land use projections must be consistent with the highway alternatives examined by implementing a land use model or by convening an expert panel to develop alternative land use projections for each highway alternative. | O21-167 |
| ➤ Documentation of the analysis must provide the elasticity of VMT with respect to lane miles and travel time for each highway alternative simulated by the model. The figures necessary to calculate the elasticity should also be documented, including VMT, VHT, and lane miles for the no-build and build alternatives. | O21-168 |
| ➤ Auto pricing alternatives need to be included in the evaluation of alternatives. | O21-169 |

BACKGROUND ON INDUCED HIGHWAY TRAVEL

Induced travel is most generally defined as any increase in travel resulting from an improvement in the transportation system. In the context of the analysis of highway projects, the improvement in the transportation system would be an increase in the supply of highway capacity, an increase in auto travel speeds, and a reduction in auto travel times. These improvements effectively reduce the time cost of auto travel and thus increase the demand for auto travel. Induced travel is predicted from the basic economic law of supply and demand.

Induced travel effects evolve over time. In the short-term (almost immediately), reduced travel time costs from new highway capacity can include changes route and mode choice. For example, if a new highway opened up with faster travel times to downtown Los Angeles (relative to an existing parallel highway and a commuter rail line from an outlying suburb), then some commuters may switch from the existing highway and some may switch from commuter rail to driving on the new highway. Near-term (few years) responses to lower travel time costs may include changes in destination choice. For example, if a new highway makes auto travel times faster from a suburb to a regional super-discount store, then travelers may be more likely to travel to the super-discount store rather than their neighborhood market. Longer-term (over ten years) responses include changes in the households and employment location, development, and land consumption. For example, if a new highway provides faster travel times from an outlying suburb to downtown Los Angeles, then travelers may be willing to trade a longer commute for a larger, less expensive home in that outlying suburb. Eventually more businesses will develop in the suburb to meet the retail and service needs of the community. An increase in demand for housing and business space in the area, may increase development and land consumption.

A considerable body of research on induced travel has emerged over the last several decades (1-10). Research has been conducted to verify induced travel and to gauge the magnitude of its effect. The methodological difficulties encountered in this research have included data quality, suitability of analytical techniques, and isolation of causality. It is important to note that such difficulties are shared by almost all areas of social science research. On balance, however, the weight of the evidence of the research confirms the existence of induced travel. Induced travel has been acknowledged by the national Transportation Research Board (a division of the National Research Council that serves as an independent adviser to the federal government on scientific and technical questions) (11) and the U.S. Environmental Protection Agency (12).

In the literature, the magnitude of the induced travel effect is most commonly represented by two elasticity measures:

1. Elasticity of VMT with respect to roadway lane miles. This is typically the change in VMT divided by the change in lane miles resulting from a new highway project. The empirical literature indicates a short term elasticity that ranges from 0.1 to 0.7 and a long term elasticity that ranges from 0.3 to 1.0. For example, if

the elasticity of lane miles with respect to VMT is 1.0, then a 10 percent increase in highway lane miles would produce a 10 percent increase in VMT.

2. Elasticity of VMT with respect to travel time. This is typically the change in VMT divided by the change in travel times resulting from the highway project. The empirical literature indicates a short term elasticity that ranges from -0.3 to -0.5 and a long term elasticity that ranges from -0.4 to 11.0. For example, if the elasticity of travel times with respect to VMT is -1.0, then a 10 percent reduction in travel times would produce a 10 percent increase in VMT.

INDUCED HIGHWAY TRAVEL IN LAND USE AND TRAVEL MODELS

Within the past few years, a number of case studies in different regions of the U.S. have been conducted to assess how existing travel and land use models capture the induced travel effects of new highway capacity in Sacramento (CA), Chittenden (VT), and Salt Lake City (UT) (13-17). In these studies, current land use and modeling tools are used to evaluate their ability to represent induced travel (or elasticity of VMT with respect to lane miles and travel time) by simulating scenarios with and without the highway alternative. In addition, sensitivity tests are conducted, by turning on and off model components, in order to isolate the relative contribution of the different induced travel effects represented in the model (i.e., land development, activity allocation, trip generation, trip distribution, mode choice, and traffic assignment).

For each case study, the model's induced travel components and variables are described in Table 1. All of the models in the case studies are official metropolitan planning organization (MPO) models, with the exception of the Sacramento MEPLAN model. This model was developed as part of a model comparison project at the University of California at Davis. However, an updated version of the Sacramento MEPLAN model has now been adopted by the MPO for use with the SACMET model.

Table 1. Induced travel components and variables in the case study models.

| INDUCED TRAVEL MODEL COMPONENTS | SACRAMENTO (CA) | | CHITTENDEN (VT) | SALT LAKE CITY (UT) |
|---|--------------------------|--|--------------------------|---------------------------|
| | MEPLAN | SACMET | | |
| Land Development (acres of land developed) | Modal travel time & cost | | | |
| Activity Allocation (where urban activities locate) | Modal travel time & cost | | Modal travel time & cost | |
| Trip Distribution (origin and destination of trip) | Modal travel time & cost | Modal travel time & cost for work trips; auto times for others | Modal travel time & cost | Auto travel time & cost |
| Mode Choice (mode use in trip) | Modal travel time & cost | Modal travel time & costs | Modal travel time & cost | Modal travel time & costs |
| Traffic Assignment (route/road taken for trip) | Modal travel time & cost | Auto travel times | Modal travel time & cost | Auto travel times |

Modal refers to all available modes of travel from an origin and destination pair (e.g., auto, bus, and bike). Shaded areas indicate absence of model components.

Because, travel demand modeling is grounded in economic theory, travel time and cost are critical variables in each sub-model component (as Table 1 above indicates). In a model with full feed back, the estimate of travel time and cost will be the same in each sub-model. Convergence is the term that describes the mathematical check that is used to ensure that the values of travel time and cost are the same in each sub-model.

In a model without full feed back, the estimate of travel time and cost will be different in each sub-model. For example, it will predict destination choice based on auto travel times that are faster than actual roadway conditions. As a result, destinations farther away (e.g., regional super-discount store versus local market) will be chosen more frequently than they would have given actual roadway conditions. The model without full feed back is executed with inaccurate calculations of input travel time and cost and thus produces inaccurate output travel forecasts. This is the travel modeling equivalent to "garbage in, garbage out."

The effect of feed back on the representation of induced travel from highway projects simulated with case study models is presented in Table 2. A number of key conclusions can be drawn from these results:

1. When travel times are fed back to a land use and/or the trip distribution sub-models, then the case study models are capable of represent induced travel within the range documented in the empirical literature and described above. The case study range for the elasticity of VMT with respect to lane miles is 0.23 to 0.80.
2. The effect of new highway capacity on land uses and trip distribution significantly contributes to the models representation of induced travel.
3. The Sacramento case study indicated that 50 percent of induced travel from the highway alternative (or elasticity of VMT with respect to lane miles) was obtained from the land use sub-models. In the context of Chittendon County (VT) case study, which is not comparable to that of the SOCTIIP, the land use effect of the roadway scenario was small because over the 25-year time horizon, the additional miles are only one tenth of population growth. As a result, the congestion effect (due to population growth) on the networks tends to swamp any increase in capacity.
4. All of the case studies indicated that feed back to trip distribution was critical to representing induced travel from the highway alternative. The percentage contribution ranged from 50 to 100 percent of the induced travel effect. In the Sacramento SACMET case study the negative results for mode choice and traffic assignment suggest that this model would forecast a reduction in VMT for the highway project relative to the no-build without full feed back.
5. If induced travel for a highway project is not represented in travel and land use models, then the need for, and the benefit of, the project will be

significantly overstated (e.g., 16 to 236 percent of VHT), and negative environmental effects will be significantly understated (e.g., 72 to 192 percent of NOx emissions).

Table 2. Long-term induced travel sensitivity test results with the case study models.

| HIGHWAY ALTERNATIVES | SACRAMENTO (CA) | | CHITTENDEN (VT) | SALT LAKE CITY (UT) |
|---|-----------------|--------|--------------------|------------------------|
| | MEPLAN | SACMET | | |
| ELASTICITY OF VMT WITH RESPECT TO LANE MILES | 0.8 | 0.23 | 0.76 | 0.78 |
| SUBMODEL ELASTICITY CONTRIBUTION | | | | |
| Land Development | 25% | | | |
| Activity Allocation | 25% | | -1% | |
| Trip Distribution | 50% | 113% | 71% | 53% |
| Mode Choice | 0% | -4% | -1% | -1% |
| Traffic Assignment | 0% | -9% | 32% | 47% |
| PERCENTAGE UNDER- ESTIMATE: NO FEED BACK | | | | |
| Vehicle Miles Traveled (VMT) | 102% | 94% | 70% | 85% |
| Vehicles Hours Traveled (VHT) | | 16% | 236% | |
| NOx emissions | 192% | 72% | | |

Shaded areas indicate an absence of results.

Another approach was taken to access the Sacramento travel demand model's prediction of induced travel (15, 16). This study used a historical forecasting validation technique to estimate actual induced travel in the region over a ten-year period (elasticity of VMT with respect to lane miles was found to be 0.22). This result was compared to the model's prediction of induced travel (elasticity of 0.14). Thus, the model tended to underestimate induced travel by 36 percent over a ten-year time horizon.

The authors of a study using the Portland (OR) MPO's models compare the results of travel demand model simulations for a future transportation plan that used the typical, fixed consensus-based land use projections and land use projections from a land use model linked iteratively with the travel demand model (19). The results indicated that congestion and the long-term need for highway investment were overestimated when the fixed, consensus based land use projections were used.

Another recent study of particular relevance to the EIS/SEIR, is the analyses of the long-run effect of new toll roads on land development in Orange County (CA) by Boarnet and Chalermpong (20). The authors used simultaneous population and employment growth models to examine the effect of new toll roads on the location of new development. They concluded that

...the toll roads were located in areas of pre-existing high population growth, which suggest that the roads were placed where growth would occur in the future. Yet once the roads were built, there is evidence that the existence of the toll roads exerted an independent effect on employment growth in the census tracts that contained the toll highways. Thus even if, as the regressions suggest, the toll roads were built in areas that were growing rapidly for other reasons, the construction of the roads appeared to have altered the growth pattern, and in particular the employment growth pattern, in the toll road corridors.

This empirical study provides evidence that toll roads in Orange County influenced the location of employment development.

To summarize, this review of the literature yields a number of key conclusions.

- Induced travel in the context of highway capacity expansion projects refers to the reduction in the time cost of travel and the resulting increase in travel demand.
- A large body of research has verified induced travel and it has been acknowledged by the scientific research community.
- In the empirical literature, the elasticity of VMT with respect to lane miles, the most common measure of induced travel in the literature, ranges from 0.3 to 1.0 in the long-run. Thus, if a highway project increases the total lane miles in the region by 10 percent, then VMT in the region may be increased by 3.0 to 10 percent.
- The body of literature on the ability of existing travel and land use models to represent induced travel indicates that when travel times are fed back to a land use model and/or the trip distribution step, then (1) models can represent induced travel within the range documented in the empirical literature and (2) the effect of new highway capacity on land use and trip distribution significantly contributes to the models representation of induced travel.

- If induced travel is not represented in the travel and land use models, then (1) VMT and congestion will be overestimated in the no-build scenario; (2) VMT and congestion will be underestimated in the highway scenario; and (3) the need for and the benefit of the project will be significantly overstated, and negative environmental effects (e.g., land use and air quality) will be significantly understated.

INDUCED TRAVEL AND THE ANALYSIS OF THE SOCTIIP

The analysis of the project does not adequately account for induced travel and as a result will tend to overestimate the need and benefit of the project and underestimate negative environmental effects (i.e., air quality and land use effects).

The results of the travel demand analysis in Table 4-41 of the SOCTIIP Traffic and Circulation Technical Report, which compares the travel results of the build and no-build scenarios, indicate that the proposed highway projects in some scenarios *reduce VHT and VMT*. Similar results are also documented in Table 2 in a 9/03 Memorandum from John Long to Louise Smart (2003 Long memo) when the OCTAM3.1 model is run without feed back to trip distribution. Thus, the travel model used in the EIS/SEIR predicts a negative elasticity of VMT with respect to lane miles and a positive elasticity of VMT with respect to travel times for these scenarios. This is the opposite of what the economic law of supply and demand and induced travel would predict. A new project will increase the supply of highways, reduce the time cost of travel (VHT), and thus increase the demand for travel (VMT), all else being equal. The forecast of scenarios that reduce VHT and VMT documented in the Table 4-41 and in Table 2 are inconsistent with the economic law of supply and demand and induced travel.

O21-170

If the new highway project significantly reduced travel distance (e.g., for example a bridge over a lake between two important origin and destination locations), a reduction in VMT would be possible. However, this is not the case in the SOCTIIP alternatives. None of these alternatives reduce travel distances significantly enough to explain these results.

In addition, Table 4-41 is flawed because it presents differences as opposed to percentage differences and thus the significance of the reduction in VHT is impossible to determine. Based on these figures it is impossible for the public and decision makers to understand the regional significance of the project. For example, will the project reduce regional travel times by 0.1 or 10 percent?

O21-171

Documentation of the methods repeatedly state that "static trip tables" were used in the analysis of the scenarios; there was no feed back from traffic assignment to trip distribution. In other words, the value of travel times was represented inconsistently and incorrectly in each separate sub-model of the modeling system and thus the model's output forecasts will be inaccurate. This is the "garbage in, garbage out" problem described above.

O21-172

As the case study results in Table 2 indicate, feed back from trip assignment to the trip distribution (i.e., not using "static trip tables") could account for between 50 to 100 percent of the representation of induced travel for alternative highway scenarios.

Documentation of the methods provides a variety of fatally flawed justifications for the use of "static trip tables." The Traffic Model Description and Validation Report states that feed back loops in the parent model (OCTAM3.1) are only invoked "if observed congested speeds and modeled congested speed differ by more than five percent during the am and pm peak hours" (p. 2-7). Input model travel speeds must be consistent with output model travel speeds and not current observed congested speeds. If future congested speeds are within five percent of current congested speeds, then there would be no need for a new highway project.

O21-172

The only tests (which are completely un-documented) used to determine the need to feed travel time back to trip distribution are within the OCTAM3.1 model only. For example, the EIS/SEIR states that "tests by OCTA with circulation system alternatives in the SOCTIIP study area show the input and output speeds to be within five percent of each other." Next, the EIS/SEIR goes on to state that when the trip tables from the OCTAM3.1 parent model with and without feed back are input into the SCSAM model, differences between the alternatives run with and without feed back are "relatively minor." First, the five percent by facility type is one of the weakest convergence criteria available to modelers to determine model convergence (21). Second, none of these tests check the consistency (and thus accuracy) of travel time between the OCTAM3.1 and the SCSAM model, which are both used in the travel analysis of the SOCTIIP. The output travel times from the SCSAM model will be different from the input travel times of the OCTAM3.1 model because of significant differences in the models (1) networks, (2) zonal land use data, (3) truck travel data and (4) traffic assignment model parameters. The differences in the traffic assignment models are dramatically illustrated in Table 2 of the 2003 Long memo: there are large differences between the two models prediction of VMT and VHT. Thus, none of the tests cited in the documentation are valid justification for using fixed trip tables in both OCTAM3.1 and SCSAM.

O21-173

Finally, it is very difficult to understand why feed back was not used in the analysis of the scenarios. Feed back was deemed essential to best practice by various highly regarded sources over ten years ago (e.g., 22). Computing speeds have increased significantly and transportation planning software now includes feed back programs. Thus, the cost and difficulty of implementing feed back in travel demand models has been dramatically reduced. For example, today, it takes about the same amount of time to run a model with full feed back that it took ten years ago to run a model without feed back. The EIS/SEIR analysis should include full, documented feed back to ensure that travel times are consistent within the OCTAM3.1 and the SCSAM models. Many stakeholder concerns surrounding induced travel could easily and cost-effectively be addressed by using feed back.

O21-174

The analysis of alternatives does not adequately evaluate the land use effects of the proposed highway projects. Such an analysis is critical to assessing the secondary effects of the project in the EIS/SEIR. While the EIS/SEIR attempts to examine different future land use scenarios that capture some range of uncertainty regarding future development patterns, these different land use scenarios do not represent the effect of the highway alternatives on the land uses. Land use projections that are consistent with the different highway alternatives are necessary to represent the land use induced travel effect over the time horizon examined in the EIS/SEIR. As discussed above, the land use effect may account for almost 50 percent of induced travel (13) and study of toll roads in Orange County indicated that land use effects are significant (20). The representation of the land use and transportation interaction can be accomplished by implementing a land use model that is linked or integrated with a travel demand model. Alternatively, a faster and less costly (but less systematic) approach would involve the use of an expert panel to construct land use projections for each highway alternative examined in the EIS/SEIR. Increasingly, peer reviews of regional travel demand models in regions with air quality problems and plans for significant highway expansions recommend that regional planning agencies represent the effect of their transportation plans on land uses (e.g., 23, 24).

O21-175

To summarize, in order to adequately account for the induced travel effects of the proposed highway alternatives in the EIS/SEIR, the analysis must be revised as follows:

O21-176

- Travel times must be treated consistently throughout the model hierarchy by feeding back travel times from traffic assignment to trip distribution within the OCTAM3.1 and between the OCTAM3.1 and the SCSAM models. Convergence must be documented.
- Land use projections must be consistent with the highway alternatives by implementing a land use model that is linked or integrated with the travel demand model or by convening an expert panel to develop land use projections for each highway alternative.
- Documentation of analysis should also provide the elasticity of VMT with respect to lane miles and travel time for each highway alternative simulated by the model. The figures necessary to calculate the elasticity should also be documented, including VMT, VHT, and lane miles for the no-build and build alternatives.

O21-177

O21-178

UNCERTAINTY IN THE ANALYSIS OF THE SOCTIIP

It is widely acknowledged that forecasts produced by travel and emission models lack accuracy. Some transportation professionals believe that current state-of-the-art methods can forecast emissions with an accuracy of plus or minus 15 percent to 30 percent (25). The results of a recent validation study of the Sacramento regional travel demand model (SACMET above) (15, 16) over a ten year time horizon suggest that the model (i.e., its functional forms and parameters) overestimates regional VMT, VHT, and VHD (5.7, 4.2,

and 17.1 percent respectively). It was also found that those errors were doubled when the analysis included uncertainty in the model's socioeconomic/land use projections. Moreover, such errors would be compounded over a longer time horizon. The SCOTIPP Traffic and Circulation Technical Report attempts to address the issue of modeling uncertainty on pages 1-8 and 1-9. Unfortunately, however, two of the authors' key conclusions are incorrect.

The EIS/SEIR incorrectly cites the calibration results of the model as evidence of the model's accuracy. In the process of developing a travel demand model, the model is developed (or estimated) on observed travel behavior data, and then the model is calibrated or adjusted so that its results closely match that same observed travel behavior data. Thus, calibration results indicate how well the model has been calibrated, but this is not a valid measure of the predictive ability of the model. Validation tests show how well the model predicts a different observed travel behavior data set, which was not used to develop, estimate, and calibrate the model. In other words, model accuracy can only be determined by comparing model predictions against a data that was not used in the model development process. Model validation tests indicate with what degree of precision models can be applied. If the results of model validation tests indicate that the model's predictions differ from actual data by five percent, then the model can only validly be applied in studies where the magnitude of change is greater than five percent.

O21-179

The EIS/SEIR incorrectly concludes that that the SCSAM "provides an acceptable level of accuracy" because the "uncertainty in the traffic model does not significantly affect the comparison of the alternative." As discussed above, the failure to represent the induced travel effects will affect the rank ordering of scenarios against different criteria and the magnitude of change between the build alternatives and the no-build alternatives. As a result, the known uncertainty in the model will bias the alternatives significantly in favor of the highway build scenario.

O21-180

The research literature and the documentation in the EIS/SEIR raise legitimate questions about (1) whether the travel benefits of the project are significantly overstated and (2) whether the build and no-build alternatives are significantly different from one another. Given the significant cost of the propose highway project, the public and decision maker must be provided with answers to these critical questions. In its current form, the EIS/SEIR does not form an adequate basis for informed decision-making.

O21-181

EFFECTIVENESS OF ALTERNATIVES NOT CONSIDERED IN THE EIS/SEIR

Can transit investment, auto-pricing policies, and/or land use measures be just as, or more, effective in reducing congestion as highway alternatives and have the added benefit of improving air quality and protecting environmentally sensitive lands?

One recent study that addresses this question, applied an integrated land use and transportation model (the Sacramento MEPLAN model) and an advanced travel demand model linked to a land allocation model (the UPLAN/SACMET model) to evaluate

transit investment, land use measures, auto-pricing policies, and highway alternatives in the Sacramento region (26). This study was funded by the U.S. Environmental Protection Agency. A summary of the core study policies are summarized in Table 3.

Table 3. Summary of core study policies.

| 2020 Scenarios | Description |
|---------------------------------------|--|
| 1. Base Case | Financially conservative expansion of the system; similar to a 3-year transportation improvement program. |
| 2. High Occupancy Vehicle Lanes (HOV) | 153 new HOV lanes and 6% increase in mixed-flow freeway lanes. |
| 3. Beltway | 591 new highway lane-miles, six new beltway interchanges, 65 lane-miles of new arterial roads, and 153 lane miles of new HOV lanes. |
| 4. LRT | 153 new track miles of light rail. |
| 5. Advanced LRT | Advanced transit information systems and/or local paratransit service are added to LRT. |
| 6. Pricing | VTM tax. |
| 7. Urban Reserve and Infill Subsidy | A restriction on development on vacant, residential, low-density land to protect important habitats and an infill subsidy land use measure of 20% of expenditures on land rent in the zones around transit stations. |
| 8. Urban Growth Boundary (UGB) | Restricts development in slow and no-growth areas on the periphery of the region that are considered environmentally sensitive. |

The application of the Sacramento MEPLAN model and the UPLAN/SACMET models is relatively advanced because the models represent a number of induced travel effects including land use, destination, mode choice, and route choices. In the UPLAN model, travel time and cost (by mode and zone pair) provided by the SACMET model affect the location of regional household and employment activities. This model provides detailed representation of travel behavior and geography. The Sacramento MEPLAN model is an integrated land use and transportation model that is more theoretically comprehensive than the UPLAN/SACMET model. The Sacramento MEPLAN model represents the regional economy and land market, redevelopment, as well as the effect of travel time and cost on the location of activities. Its representation of travel behavior and geography, however, is more aggregate than that of the UPLAN/SACMET model.

The travel output data from the land use and transportation models are used in the emissions models to evaluate the regulated vehicle emissions effects of the scenarios. A benefit measure that uses travel time and cost data for all modes by origin and destination pairs by household income groups is developed with the travel output from the Sacramento MEPLAN model. This measure allows for the evaluation of the relative costs and benefits of the scenarios for the region.

The alternatives were simulated with both the Sacramento MEPLAN and the UPLAN/SACMET models. The results were evaluated against four criteria, (1)

congestion reduction, (2) emissions reduction, (3) protection of environmentally sensitive lands, and/or (4) total regional benefits and benefits by income class, are discussed as follows. See Table 4.

Congestion reduction. In the Sacramento MEPLAN simulations, all the scenarios produce greater increases in auto travel speeds compared to the HOV lane scenario, and all the scenarios, with the exception of the LRT only and VMT Pricing only scenarios, produce greater increases in auto travel speeds compared to the Beltway scenario. In the UPLAN/SACMET simulations, all the scenarios, with the exception of the VMT Pricing only scenario, produce reductions in vehicle hours of delay (VHD) that are greater than those in the HOV lane scenario.

VMT and Emissions. In both the Sacramento MEPLAN and UPLAN/SACMET simulations, the highway-oriented scenarios increase VMT and vehicle emissions. The increase in VMT ranges from two to ten percent and the increase in NO_x (oxides of nitrogen) emissions ranges from 0.1 to nine percent. The scenarios that include combinations of LRT, auto-pricing policies, and land use measures produce reductions in VMT and emissions on the order of one to 14 percent.

Land Use. The results of both the Sacramento MEPLAN model and the UPLAN/SACMET model indicate that the highway-oriented scenarios may allow for greater decentralization of regional activities and/or an increase in total regional and outer ring land consumption relative to the other scenarios. In the Sacramento MEPLAN model, the VMT Pricing policy only scenario indicates an increase in total regional and outer ring land consumption compared to the base case. The LRT and Advanced LRT scenarios in the Sacramento MEPLAN model tend to decentralize activity location somewhat, but total regional and outer ring land consumption remained relatively unchanged relative to the base case. In the UPLAN/SACMET scenarios, the Advanced LRT and VMT Pricing scenarios tend to reduce activity location in the outer ring of the region relative to the base case.

Benefits. The analysis of costs and benefits with the results of the Sacramento MEPLAN model simulations indicates that the transit investment scenarios combined with land use policies may provide greater benefits (i.e., change in travel time and cost from the Base Case) than the highway-oriented scenarios. The UGB and Advanced LRT policy provides a change in total benefits that was more than double those in the Beltway scenario during the AM peak hour. The Advanced LRT scenario provides benefits that are greater than those in the HOV lane scenario, but not those in the Beltway scenario. The LRT only scenario and the scenarios that include the VMT pricing policy do not provide benefits as great as the highway-oriented scenarios. The costs and benefits included in the analysis do not include externalities and capital and O&M costs. Past research applying the cost and benefit measure to similar scenarios simulated with the SACMET model indicated that capital and O&M costs reduced benefits by a relatively small amount (27).

Table 4. Percentage change in 2020 scenario results compared to the Base Case for the Sacramento MEPLAN and the UPLAN/SACMET model.

| | VMT | | Auto Speed (VHD) | | NOx Emissions | | Total Benefit |
|---|-------------------|-------|------------------|------------------------------|---------------|-------|---------------------|
| | MEPLAN | UPLAN | MEPLAN | UPLAN | MEPLAN | UPLAN | MEPLAN |
| HOV | 4.3% ¹ | 2.1% | 0.6% | 2.1% (-4.9%) ² | 0.9% | 3.3% | \$1.35 ³ |
| Beltway | 9.6% | | 2.5% | | 8.5% | | \$2.17 |
| LRT | -2.1% | | 0.8% | | -2.0% | | \$1.15 |
| Advanced LRT | -6.0% | -0.7% | 3.5% | 1.0% (-5.3%) | -5.7% | -0.9% | \$1.68 |
| VMT Pricing | -10.0% | -0.7% | 2.0% | 0.2% (-2.1%) | -8.9% | -0.6% | \$0.51 |
| VMT Pricing + Advanced LRT | -13.0% | | 3.7% | | -12.0% | | \$0.33 |
| Urban Reserve+ Infill + Advanced LRT | -8.8% | | 3.3% | | -6.8% | | \$2.37 |
| Urban Reserve + Infill + Advanced LRT + VMT Pricing | -12.9% | | 3.5% | | -12.1% | | \$2.89 |
| UGB + Advanced LRT | -10.2% | -2.3% | 4.0% | 1.7% (-10.3%) | -9.4% | -2.2% | \$5.67 |
| UGB + Advanced LRT + VMT Pricing | -13.7% | -2.9% | 4.0% | 2.0% (-12.4%) | -12.9% | -2.7% | \$5.65 |

¹ Figures with percentages percentage change from the Base Case scenario.

² Figures in parentheses are percentage change in VHD from the Base Case scenario.

³ Figures are per am peak hour trip.

In sum, when the scenarios in this case study, simulated with land use and transportation models that represent induced travel effects, are evaluated against four criteria, (1) congestion reduction, (2) emissions reduction, (3) protection of environmentally sensitive lands, and/or (4) total regional benefits, then the Advanced LRT with the UGB and/or the VMT pricing scenarios appear to be the clear winners. The VMT pricing alone and Advanced LRT also appear to compare favorably to the highway scenarios depending on the weighting of the evaluation criteria.

Another recent case study of the Capital Beltway (28) came to similar conclusions with respect to the effectiveness of auto pricing policies relative to new highway capacity. It concluded that it had “demonstrated that pricing alternatives can often accomplish the purpose of a major highway project more efficiently and effectively than conventional alternatives that exclude pricing, while generating net revenues to support alternative modes, bonds for timely project constructions, and other transportation priority. Delays due to constrained funding can be avoided, more transportation choices can be provided, and the public can get superior mobility earlier and at a lower cost.”

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Caroline Rodier has a Ph.D. in Ecology, focusing on environmental policy analysis and transportation planning, and is currently a post-doctoral researcher at the University of California at Berkeley. She has over ten years experience applying land use, travel, and emissions models to evaluate the travel, economic, and air quality effects of a wide range of transportation and land use policies (e.g., transit-oriented development, transit investment, highway expansion, and auto pricing policies). Her most recent research addresses key issues of modeling uncertainty in the context of the environmental impact and air quality conformity processes. She has applied sensitivity analyses, validation tests, and scenario comparisons to land use and travel models to assess total error, identify the magnitude of key sources of error (i.e., induced travel, population projections, and model structure and parameters), and compare the benefits of specific modeling capabilities for policy analysis. She has authored eleven journal articles and more than twenty reports and proceedings articles.

EDUCATION

Ph.D., University of California, Davis, Ecology with major emphasis on Environmental Policy Analysis and Transportation Planning, 2000

Dissertation: *Uncertainty in Travel and Emissions Models: A Case Study in the Sacramento Region*.

Committee: Robert Johnston, Patricia Mokhtarian, James Cramer & David Layton

M.S., University of California, Davis, Community Development, 1994

B. A., Barnard College, Columbia University, U.S. History, 1989

RESEARCH AT THE UNIVERSITY OF CALIFORNIA (1992-2004)

- Applied methods of uncertainty analysis to assess error in land use, travel, and emissions models due to model structure, population projections, and induced travel in the Sacramento region.
- Developed geographically-based equity measures to evaluate welfare-to-work policies.
- Assisted in the calibration of integrated land use and transportation demand models, TRANUS and MEPLAN, to the Sacramento region and applied the models to evaluate the travel and air quality effects of various transportation and land use scenarios.
- Applied and evaluated a number of benefit-cost analysis methods to transportation scenarios simulated with the Sacramento travel model.
- Modeled and evaluated the travel and air quality effects of intelligent transportation systems technologies, high occupancy vehicle lanes, transit improvements, and road pricing and land use control measures using the Sacramento travel and emissions models.

EXPERT SERVICE/PROFESSIONAL ACTIVITIES

- Research Associate, Mineta International Institute for Transportation Policy Studies, 2000 to present
- Transportation Research Board, Integrated Transportation and Land-Use Modeling Subcommittee, Member, 2001 to present
- Consultant, Sierra Club, reviewing regional travel demand models in regions throughout the U.S. (Salt Lake City, Sacramento, Houston, and New Jersey) used in Environmental Impact Statements and air quality conformity analyses, 1998 to present
- Member, Technical Advisory Committee for the Route 53 travel demand model for the Chicago area, Environmental Law and Policy Center, 1997-1998
- Member, Modeling Advisory Committee, Sacramento Area Council of Governments, 1996-2001
- Member, Performance Measures Committee, Sacramento Area Council of Governments, 1997

SELECTED FELLOWSHIPS AND AWARDS

- University of California Transportation Center Student of the Year, 2000
- Federal Highway Administration, Dwight David Eisenhower Transportation Fellowship, 1997
- Environmental Protection Agency, Science to Achieve Results Fellowship, 1997 (declined monetary award)

PUBLICATIONS

Rodier, C. J. (2004). Verifying the Accuracy of Regional Models Used in Transportation and Air Quality Planning. *Transportation Research Record*. In press.

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July 22, 2004

Matthew D. Vespa
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Subject: Draft EIS/SEIR for the South County Transportation Infrastructure Improvement Project

Dear Mr. Vespa:

This letter addresses certain inadequacies of the Draft EIS/SEIR for the South County Transportation Infrastructure Improvement Project (SOCTIIP) and is submitted as a formal letter of comment on that document. By way of background, I am a Professional Engineer in Traffic Engineering in the State of California (#64), have prepared and reviewed numerous DEIS and DEIRs, and have created and used traffic forecasting models for most of my 30-year career. My comments focus on inadequacies of Section 1 - Purpose and Need for the project, Section 2 - Alternatives, and Section 3 - Traffic and Circulation, as well as those portions of the Executive Summary that refer to these sections.

As a general summary of my review, I make the following points:

- A number of the assumptions in the travel forecasts are so vague as to make the analysis essentially worthless. In particular, there appears to be a lack of correlation of tolls used in forecasting to an economic evaluation of tolls needed. (See Point #1 below.) O21-182
- By not using feedback loops and by using a fixed trip table, the DEIS/SEIR overstates benefits of the project and understates the impacts of induced traffic. It also appears, based on comparison of memos leading up to the DEIS, that the data basis for not using feedback loops is greatly understated or mis-stated in the DEIS. (See Points #5& 6 below.) O21-183
- There is a significant lack of critical decision-making information that would allow decision makers to come to grasp with the enormous body of material. Basic information needed to assess impacts and the project are not provided or well documented. These include the amount of travel, hours of travel, speeds, etc. These are critical to assessing the project's basic value and as inputs to the environmental analysis. The DEIS/SEIR needs to summarize the findings more clearly and concisely so that people can really understand benefits and impacts. (See Points # 2, 3, 4, 8, & 10 in particular.) O21-184

- There is a general "untidiness" to the material presented that filters throughout the many comments that I have made. Attribution of responsibility for secondary impacts to Caltrans (Point #16) is an example of this.

O21-105

DEFICIENCIES IN THE SOCTIIP DEIS/SEIR

1. The DEIS/SEIR Fails to Integrate Economic Analysis of Tolls Required to Build the Facility with the Tolls Assumed in the Traffic Forecasts.

The level of the tolls charged for use of the toll road will have a significant impact on the ability of the toll road to divert traffic from I-5; the purpose and need statement identifies diversion of traffic from I-5 as one of the principal objectives of the project. Data on the tolls assumed is not contained in the DEIS/SEIR. The Traffic Model Description and Validation Report contains a figure (4-6) that documents assumed tolls for 2025, but there is no indication in the documents that the tolls assumed for the traffic forecasts correspond in any way to the actual tolls that will be required to pay back the construction bonds for the project. If the tolls assumed for the traffic forecast are lower than are needed to build the project, the DEIS/SEIR overstates the amount of congestion relief that the proposed project can provide to I-5; depending on the degree to which the tolls are too low, the facility itself might be under-designed, leading to a series of impacts even greater than documented in the DEIS/SEIR. If the tolls included in the model are higher than needed to pay off the bonds, the result of implementing the lower tolls would be to attract more traffic to the facility, possibly overloading it and leading to widening not contemplated in the current project description. The DEIS/SEIR contains no information regarding the economic feasibility of the project, a topic that should include an analysis of the amount of the tolls required to pay off the bonds. Without the economic analysis, it is not possible to know if the assumptions on tolls in the forecasts are valid; and therefore, it is not possible to give credibility to the traffic forecasts. The DEIS/SEIR should provide documentation of the correspondence between tolls required to support the facility and the assumptions regarding tolls included in the travel forecasts. These two areas MUST be in harmony in order for the traffic forecasts to have any validity at all.

O21-1 3

2. The DEIS/SEIR Provides Inadequate Data to Allow a Full and Comprehensive Review of the Assumptions Used in the Traffic Circulation Section (3.0).

The document fails to provide fundamental data such as the length of the various alternatives and the tolls that will be assessed to users of the facilities. The length of the alternatives, and data such as lane-miles of construction, are vital to a basic understanding of the size and complexity of each alternative. The issue of length is crucial to an understanding of the cost-effectiveness of each alternative, and as discussed in Comment #9 below, is crucial in particular to the flawed alternative that proposes widening of I-5. The tolls are crucial to an understanding of how attractive the new facility will be to potential users, to the fiscal analysis of whether the tolls can cover the costs of construction, financing and right-of-way. While data on future tolls is included in the "Traffic Model Description and Validation" Report¹ prepared in support of the DEIS/SEIR, that report is

O21-187

¹Austin-Foust Associates, October 2002

nearly two years old; and there has been no documentation of whether the future year tolls documented in that report have been carried forward into the DEIS/SEIR. O21-187

There is no table in the DEIS/DEIR that allows for the most simple of evaluation comparisons - diversion from I-5 to the toll road. There should be a table showing various screenlines across all north/south major facilities showing the amount of traffic on each for each alternative and the differences compared to the no-build scenario. How much traffic is diverted from I-5 to the toll road north of Oso Parkway? The DEIS/DEIR doesn't report this most basic information. The best that can be found in the document is Table 3.4-4, which documents some land use sensitivity tests. Even with this table, locations on I-5 are reported north of Oso Parkway and Ortega Highway, whereas locations on the toll road are reported south of Oso Parkway and Ortega Highway. A direct comparison of diversion with this kind of reporting is impossible; it should be provided. O21-188

3. **The DEIS/SEIR Is Deficient in Providing Misleading and Incomplete Information on Travel Time Savings.**

Travel time savings are reported in Table 3.4-7 and Figure 3.4-13. The table and figure report only travel time differences compared to the no-project alternative! The tables do not provide the no-project totals, only the differences. **The tables are showing only the tip of the iceberg!** Without the no-build travel times, decision-makers and the general public have no basis upon which to judge the significance of the savings. Will the SOCTIIP alternatives reduce travel time by 75%? by 50%? or by 1%? Neither the DEIS/SEIR nor the supporting Traffic & Circulation Technical Report provide this **highly important** information. Without it, decision-makers and the general public cannot make an informed judgement as to the true value of this proposed project. The DEIS/SEIR should include a table that shows, for each alternative, the no-project total subarea travel time, the absolute difference in travel time between each alternative and the no-project, and the percentage change between the alternative and the no-project. O21-189

While this kind of data is not present in the DEIS/SEIR, somewhat relevant data has been prepared during the course of the study by DKS Associates, the TCA's independent consultant and Austin-Foust Associates, Inc., the firm which prepared the traffic forecasts². Table 2a (prepared by Austin-Foust to replace Table 2 in the DKS memorandum) provides a useful evaluation of the overall benefit of the project. If the feedback loop data is considered the best available forecast (which theoretically, it should be) Table 2a indicates that the total benefit to Southern Orange County in terms of travel time savings **over a full day** would be approximately 2.3%. **THIS** is the kind of information that decision-makers need! The question for decision-makers will eventually come down to this: Is it worth running a toll road through highly sensitive undeveloped land, **and a State Park**, to achieve a daily travel time savings of a paltry 2.3%? O21-190

I usually refrain from implying motive into the material presented in an EIS/EIR. However,

² "Expanded Discussion on Induced travel Demand," Memorandum from John Long, DKS Associates, to Louise Smart, September 30, 2003; Table 2a, by Austin-Foust Associates, undated.

the absence of this critical item of information leads me to suspect that the entire DEIS/SEIR has been carefully edited to weed out information that might discredit the value of the project. The public, who is paying for this document and will pay for any project that eventuates from this report, deserves a straight-forward, non-political DEIS/SEIR.

4. **The DEIS/SEIR Is Deficient in Providing Misleading and Incomplete Information on Vehicle-Miles-Traveled.**

The comments regarding travel time savings in comment #3 can also be applied to Vehicle-Miles-Traveled. I will save space by not repeating the argument.

5. **The discussion on feedback loops does not conform to expectations and may be based on erroneous data or an erroneous assumption.**

Page 3-10 of the DEIS/SEIR contains the following text:

"The question raised was whether feedback loops should be applied when modeling SOCTIIP Alternatives that would have substantially different amounts of capacity on the circulation system in the study area. The OCTA was therefore asked to prepare OCTAM 3.1 sensitivity forecasts for significantly different SOCTIIP Alternatives using a trip distribution and mode choice feedback loop process, and the results were incorporated into the SCSAM. The OCTAM and SCSAM results indicated that the magnitude of improvement provided by the SOCTIIP build Alternatives, (for example, in terms of traffic relief on I-5 and areawide reduction in VHT), is somewhat less when using different trip distributions based on feedback loops rather than a static trip distribution. However, the differences were relatively minor. For example, the SCSAM results indicated that the difference in the magnitude of improvement with and without feedback loops is *no more than one percent of the peak hour or ADT volumes forecast on I-5, and less than one percent of the VMT or VHT forecast in southern Orange County.* (Italics mine)

Intuitively, it is my belief that feedback loops should have a greater impact on the results of this process than 1%. The only condition where a one percent change might occur would be a situation where I-5 became so overloaded with traffic that it could absorb no more traffic regardless of the distribution. Since the sensitivity test has been run with SOCTIIP alternatives, I conclude that I-5 would not be so badly overloaded as to not be capable of absorbing more traffic through the modeling system. I would like to see tables drawn from the original, unadjusted forecasts that show projected 2025 volumes at several places along I-5 with and without feedback loops. If this data can be presented and verified as correct by OCTA's independent traffic consultant, I will accept the results. As they stand, these results appear to be suspicious.

The issue of feedback loops has been a continual source of memo and counter-memo between

the Authority and its independent traffic consultant, John Long of DKS Associates.³ The independent consultant repeatedly advised the Authority that feedback loops should be used, and cited data from different model runs made by Austin-Foust to the effect that differences far greater than 1% has been observed and that feedback loops should in fact be included in the forecasts for this DEIS/SEIR. The fact that the DEIS/SEIR has given great weight to other comments of their independent traffic consultant, combined with the fact that various modeling results throughout the process of evaluation indicated that feedback loops should be used, raises serious doubts concerning the legitimacy of the DEIS/EIR's reasoning that feedback loops are not needed.

O21-193

6. **By Not Using Feedback Loops, the Traffic Modeling Significantly Overstates the Benefits of the Project. The Project Benefits Are Significantly Exaggerated Purely Due to the Choice of Travel Forecasting Techniques That Have Been Used to Produce the Results.**

DKS Associates, the Authority's independent traffic consultant, produced a memorandum on September 30, 2003, that addresses a number of questions, including the issue of feedback loops. Table 2 in the DKS memo was subsequently superceded by a "Table 2a" produced by Austin-Foust Associates; these tables reported on investigations of using feedback loops on both a No-Action Alternative and a FEC Alternative. They tested both the OCTAM 3.1 model and the SCSAM model, the latter being the model used for the DEIS/SEIR. Table 2a of that report contains some startling statistics. For the SCSAM model, the results of these tests show that without the feedback loop, the FEC Alternative would reduce daily Vehicle Hours of Travel by 18,402 hours, whereas with the feedback loop, daily Vehicle Hours of Travel would be reduced by only 13,858 hours. The feedback loop would thus reduce the sub-regional travel time savings by 25% - a substantial difference, leading to a substantial overstatement of travel time savings in the DEIS/SEIR. The OCTAM 3.1 comparison was even more dramatic. Without a feedback loop, the OCTAM model predicted a savings of 20,743 hours (similar to SCSAM), whereas with the feedback loop, the OCTAM model predicted a savings of only 6,344 hours, or 60% less. The table calls into sharp question the issue of whether the DEIS/SEIR is overstating benefits of the project by its choice of travel forecast methodology. The table also calls into question the degree to which the SCSAM model is truly consistent with the OCTAM model, as it is required to be. With differences no less than 25% overall, this table calls into serious question the statement in the DEIS/SEIR that differences on I-5 (the principal freeway in South Orange County) would be less than 1%.

O21-194

Table 3 of the DKS memorandum of September 30, 2003, provides direct comparisons on

O21-195

³ Memo from Terry Austin and Kendell Elmer to Peter Ciesla, TCA, August 1, 2001.
Memo from Ron Taira, OTCA, to John Long, July 13, 2001
Memo from John Long to Louse Smart, OCTA, May 29, 2001
Memo from John Long to Louse Smart, OCTA, May 28, 2002
Memo from John Long to Louse Smart, OCTA, April 29, 2003
Memo from John Long to Louse Smart, OCTA, September 30, 2003

I-5 at a number of locations. The greatest discrepancy with and without feedback loops shows differences of over 10% on I-5 south of Avenue Pico. This is significantly different than the "less than 1%" stated in the DEIS/SEIR. These discrepancies must be explained if the argument regarding feedback loops is to be credible.

O21-115

Here are some specific conclusions regarding the impacts of feedback loops from the September 30, 2003 memo:

- "Induced travel appears to account for a greater growth in VMT due to the FEC Alternative according the OCTAM model with speed recycling, compared to the growth without speed recycling.
- "The FEC Alternative still shows a net travel time savings (reduction in VHT) in the study area, but much less according to the model with speed recycling, compared to the original model without.
- "In Table 3, the reduction of daily volume on I-5 is less with feedback than without, and the change in total screenline volumes is always an increase, while the no-feedback changes in total screenline volumes is a lesser increase or a decrease."

The fact that the DEIS/SEIR has been prepared without the use of feedback loops in spite of all evidence that they will significantly improve the quality of the results and in spite of continual requests by the independent traffic consultant needs to be explained with data that is validated by some party not directly involved with this process. Otherwise, the forecasts will continue to lack credibility in this very important area.

O21-196

7. **The Use of a Fixed Gateway at the Orange/San Diego County Line Prevents the Model from Addressing Induced Travel South of the County Line; Global Benefits Are Correspondingly Overstated Due to this Modeling Limitation.**

The I-5 gateway at the County Line is the most important source/destination of traffic in Southern Orange County. In the real world, addition of substantial capacity just north of the County Line will have impacts in redistribution of existing or projected traffic; it will also have secondary impacts on land use which in turn will create induced traffic. The fixed value for traffic passing through this critical gateway eliminates the impacts of all forms of induced traffic through the gateway.

O21-19

8. **Cost-effectiveness Is Not Addressed.**

Section 1.5.2 of the DEIS/SEIR (Purpose of the Project), states the following: "The overall goal is to improve projected levels of congestion and delay as much as is feasible and *cost effective* (*italics mine*). The DEIS/SEIR does not include any kind of cost-effectiveness evaluation. (Note that there are FHWA recommendations and procedures for computing cost-effectiveness.) Therefore, it is not possible for decision-makers or the public to evaluate cost-effectiveness, it is not possible for them to fulfill the goal of the Purpose/Need statement, and it is not possible for them to make an informed decision when comparing alternatives and/or selecting a preferred alternative. The DEIS/SEIR is thus deficient in not providing a key element of data needed to support its purpose

O21-19~

and need statement.

O21-198

A related issue to cost-effectiveness is that the documentation of cost estimates does not exist in the document. Financing costs, a particularly important component of costs for this project, are not addressed at all. Significantly more information justifying the cost estimates should be provided.

O21-199

9. **A Principal Alternative to the Foothill-south Extension - the I-5 Widening Alternative - Is Fatally Flawed in Definition and Thereby Cannot Compete Fairly with the Alternatives for the Toll Road Extension.**

The I-5 widening alternative *definition* is actually fatally flawed in two ways. First, it is significantly longer than the alternatives that propose extension of the Foothill South Toll Road. The I-5 alternative includes proposed widening as far north as the I-5/I-405 junction, while the Foothill South alternatives commence further south at Oso Parkway. Table 2.4-10 of the DEIS/SEIR documents Project Costs, including Construction and Right-of-Way Costs (but not financing, design and other start-up costs). It indicates that the I-5 widening project would cost twice as much as any other alternative. However, this high cost is due in large part to the fact that this alternative is so much more extensive, and that it in fact attempts to provide more congestion relief than the other projects. Because no segment cost data is provided, it is not possible to know if the costs are higher on a per-mile basis in the section of I-5 north of Oso Parkway, but it is possible. What is certain is that the cost of widening I-5 all the way to I-405 will be significantly higher than a project that begins the widening at Oso Parkway. This cost issue puts the I-5 widening alternative at a significant disadvantage to the other alternatives, *simply by the definition of the alternative*. The I-5 widening alternative should be re-evaluated with a segment length necessary to meeting SOCTIIP congestion relief purposes but not in excess of such length; it should also include a direct connection to the toll road so that regional connectivity can be maintained.

O21-200

The I-5 widening alternative definition is also fatally flawed with respect to financing. With regard to the alternatives as a group, Section 4.2.2.15 of the SOCTIIP DEIS/SEIR Project Alternatives Technical Report states "It is anticipated that construction of the corridor alternatives would be financed by toll revenue bonds." With respect to the I-5 widening project however, Section 4.4.2 of the Project Alternatives Report states "No potential funding sources have been identified or reserved for the final design and construction of the I-5 alternative." The lack of funding is a fatal flaw, *with the definition of the project*, of the I-5 widening alternative. The alternative was crafted in this way to deliberately fail a comparative evaluation. (i.e., if it can't be funded, it can't be built, therefore it's out!) However, if this alternative had been defined as a High Occupancy Toll Lane, it would in fact have a funding source, and would in fact be functionally and financially competitive with the Toll Road extension alternatives. While OCTA may not currently be empowered to create a HOT lane on I-5, remedial legislation could be created to solve this potential inadequacy. The DEIS/SEIR is deficient in not creating a realistically viable I-5 widening project that could be compared on a level playing field with the alternatives which extend the Foothill South Toll Road.

O21-201

10. The Claim That "The SCSAM Follows Nationally Accepted "Best Practices" in the Engineering Profession." Is False and Misleading.

(SCSAM is the travel forecasting model used to produce the forecasts for the DEIS/SEIR.) "Best Practice" includes a number of features that are not present in SCSAM. SCSAM does not have independent trip generation, trip distribution and modal choice components, relying instead on OCTAM 3.1 for those portions of the model. "Best Practice" requires that a model be complete within itself. SCSAM uses a fixed trip table for all alternatives. "Best Practice" requires two specific processes that are not followed in this DEIS/SEIR - independently run trip distribution for each alternative, and feedback loops. Comments below deal with both of these issues. The point to this comment is that the DEIS/SEIR cannot both claim to use "Best Practice" and also deviate from that practice. The use of the term "Best Practice" is misleading to the reader in claiming to be as good as can be done; when in fact, short-cuts have been taken that have serious impacts on the validity of the results.

O21-2^2

11. The Travel Forecasts Are Flawed in Using a Fixed Trip Table for All Alternatives.

Section 5.2 of the Traffic Model Description and Validation Report, includes the statement, "It has been the experience of the Orange County Transportation Authority (OCTA) in applying OCTAM 3.1 that for most applications in Orange County, including analyzing facilities such as transportation corridors, it is best to establish a static trip distribution from which all alternatives are compared. The static distribution of trips essentially makes the evaluation of transportation alternatives easier to understand because trip patterns are the same for each alternative."

O21-2 3

While OCTA claims to have found static trip distribution to be "best," they have deviated from best professional practice in this regard and in the process eliminated one of the key influences of a new facility. Every new facility induces new traffic, either from parallel facilities or by inducing redistribution to different destinations or by causing redistribution of land use. (While some argue that new facilities induce new traffic at the trip generation level of the model, current forecasting technology is unable to replicate this impact reliably.) A new freeway brings certain shopping facilities closer in time to the home, for example, making them perceptibly accessible to people who would previously have thought them to be too far away. By using a static trip table, the process eliminates a major source of induced travel and thereby removes a critical component of potential project impact. The DEIS/SEIR is deficient in not accounting for induced traffic by its dependence on forecasts that use a static trip table. In addition, the claim of making "the evaluation of transportation alternatives easier to understand because trip patterns are the same for each alternative" is a baseless justification for short-cutting a significant portion of the travel forecasting process. I note that page 3-10 of the DEIS/SEIR documents sensitivity tests regarding the impact of feedback loops and concludes that since sensitivity tests show minimal impact on I-5, that a static trip table is acceptable. This is specious logic - among other things, this statement confuses the impacts of making a change to the network (i.e. adding a new facility) with the impacts of feedback loops. Use of a static trip table is incorrect methodology for two reasons - a static table ignores the

⁴ SOCTIIP EIS/SEIR, Page 3-9.

affects of change to the network and the affects of change to trip distribution. It is fundamentally flawed and contrary to established practice to adopt the fixed trip table only on the basis of the results of feedback loop tests. O21-203

The Traffic Model Description and Validation Report includes some testing of the impacts on redistribution based on SOCTIIP alternatives. The section focuses on impacts to distribution to and from the Orange County/San Diego County Line. Regrettably, the entire argument used in the section is specious and irrelevant to the issue of impacts on I-5. There are three inter-related errors. The Orange County/San Diego County Line gateway has a real-world distribution that is distinctly different from other zones in the study area. Trips through the gateway are significantly longer, on average, than trips within the study area. Secondly, the gateway has only one end in the study area, meaning that redistribution to zones on the other side of the gateway cannot be measured. Third, the entire analysis speaks to regional distribution issues, which may be of interest to the theorist, but which do not speak to the key issue of concern for this DEIS/SEIR, which is the impact on specific facilities in the study corridor on congestion, air quality and public health. What is the impact of redistribution to volumes on I-5? What is the impact on the existing portion of the Foothill Freeway? What is the impact on the extension? Without answers to these questions, the authors have discarded the impacts of the variability of trip distribution, and coincidentally the impacts of induced travel, by analyzing on the basis of an incorrect evaluation criterion. O21-204

12. Confidence Limits of the Traffic Model.

Pages 3-8 and 3-9 of the DEIS/SEIR contain a qualitative discussion on confidence limits of the model. The text confirms standard industry knowledge that "Uncertainty in traffic forecast models... is known to exist... because they endeavor to express complex human behaviors in simple mathematical terms." After extensive discussion on the issue, the section concludes with the statement, "The SCSAM therefore provides an acceptable level of accuracy for the comparative evaluation of the SOCTIIP Alternatives because the statistical uncertainty in the traffic model does not significantly affect the comparison of the Alternatives." O21-205

I disagree with this conclusion. A travel forecasting model is calibrated at a single point in time. Significant factors may change between the calibration year and the target (future) forecast year that are not explained by the parameters in the model. The advent of the internet allows people to check on-line for traffic congestion before choosing, where, when and whether to make a trip. This is a relatively new phenomenon that may not be adequately addressed in current models. As well, sensitivity to travel time and congestion have changed significantly over the years as evidenced by the longer amount of time that people are spending enduring traffic congestion today. This elasticity, or sensitivity to travel time/congestion, can only be calibrated into the model based on today's behavior; these elasticities are quite likely to change in the future.. To the degree that this sensitivity changes, or the sensitivity to toll prices change, differences can indeed occur in comparisons among alternatives that are beyond the model's ability to predict. It is fair to say that, with the exception of issues raised in this letter, the OCTAM model may well be the best that can be produced by OCTA given the data and technology at hand; but the issue of confidence in the comparison of alternatives should not be swept away with such a cavalier opinion as is encapsulated in the quoted text.

I suggest that this portion be rewritten to be more cognizant of the potential for the model to be in error. Wherever results are presented they should include either a range of possible outcomes or an explanation of the likely degree of uncertainty. There should be a general discussion that addresses possible ranges of confidence and how they compare with projected benefit percentages. O21-206

13. The DEIS/SEIR Is Inconsistent and Deficient in Reporting Impacts on the System.

The DEIS/SEIR uses different formats to report impacts for "Existing vs. Existing Plus Project" alternatives compared to "Future No Project vs. Future Project" alternatives. For example, Table 3.4-2 presents segment-by-segment comparisons of whether a deficiency exists in a freeway segment, freeway ramp, or intersection for alternatives using Existing Conditions as a baseline for comparison. No such table is provided for future year scenarios. This is the single most descriptive table in the document in terms of impacts. The document should show a similar table for future conditions. O21-207

14. The Conclusions on Page 3-25 of the DEIS/SEIR Are Strange.

They make it appear that, for existing plus project conditions, the no-build alternative has less congestion on I-5 than the build alternatives. If that is true, why build the project? The 2025 analysis, reported differently, does not lead to that conclusion. Why are the conclusions different? O21-208

15. The Summary of Impacts on Page 3-29 of the DEIS/SEIR Is Misleading.

Page 3-29 discusses benefits of the project in terms of number of "locations" where congestion is improved. The "locations" referred to appear to be a combination of freeway segments, ramps and intersections. Grouping the locations together in this manner is misleading. It makes an improvement to an intersection appear as important as an improvement to a freeway segment. This project is really about improving I-5 freeway segments. Intersections and ramps are mitigated much more easily. This section of the DEIS should be rewritten to document the number of freeway segments improved or degraded in each alternative as a measure of the big-picture impact. Summaries of impacts to intersections and ramps could be reported separately, as a secondary category impact. O21-209

16. Responsibility for Mitigation of Indirect Impacts Is Incorrectly Attributed.

In Mitigation Section 3.6.1, which discusses so-called indirect impacts, the authors of the DEIS/SEIR lay responsibility on Caltrans for mitigation needed to ramps and other off-project locations. This is not a correct attribution of responsibility. It is the responsibility of the agency sponsoring an improvement project to mitigate ALL impacts. Responsibility is based on the source of the problem, not the agency responsible for designing and/or operating the facility. Following this logic, it would be the responsibility of the Toll Road Authority to mitigate any traffic impacts from Ranch Mission Viejo! This section of the DEIS/SEIR needs to be completely rewritten to place responsibility with the source of the problem, which is the project and the project sponsor. O21-210

17. By Leaving Certain Transportation Improvements as Mitigation Measures, the Definition of Each Alternative Is Incomplete. O21-211

All transportation improvement projects of the type proposed in this DEIS/SEIR should be

"self-mitigating" with respect to transportation impacts. The proper approach is to do an analysis to find out where negative traffic impacts would occur, identify the required improvements, and THEN FOLD THE ADDITIONAL IMPROVEMENTS AND THEIR COSTS INTO THE PROJECT DESCRIPTION. The entire scope of the transportation improvement project becomes more clearly defined with this approach, and most importantly, the entire cost of the project can be made clear. Separating transportation improvements into "project" and "mitigation" is confusing and can be misleading to the public. The toll road authority may argue that their only charge is to build toll roads, but I claim that their entire responsibility is to improve traffic conditions in their corridor, including mitigating any damages to the system that their primary project may induce.

O21-211

18. The Discussion on Weekend Traffic Is Incorrect.

Section 3.7.1 of the DEIS/SEIR presents a qualitative analysis of weekend traffic. The model does not estimate weekend traffic, and so a qualitative discussion is included. The authors point out that weekend traffic is significantly higher than weekday traffic and then conclude that weekend traffic will mirror the increase that is projected for the weekday. I disagree. Weekday and weekend traffic are very different in their purpose and intent. Weekday traffic consists largely of trips that are "required:" work trips, business trips, school trips, even some shopping trips are required. Weekend traffic, particularly in this corridor, consists of "choice" trips in large part, trips made for recreational and/or social purposes. Many of these trips will not be made to an area if the needs can be met in locations where congestion is less or tolls are not required. Weekend traffic is significantly more sensitive to both congestion and tolls than weekday traffic. For these reasons, MY qualitative analysis suggests that weekend traffic would not rise by the same percentage as weekday traffic, but instead would be less. I would expect it to rise until the level of congestion reaches some level of intolerable for weekend drivers and then level off, even as weekday traffic continues to rise. I also think the toll road would be less attractive to recreational/social trips and would be less of a relief to I-5 than it would be on the weekend. If my qualitative analysis is correct, and if the assumptions used in the DEIS/SEIR are used as the basis of the financial justification for the project, I predict that revenues anticipated from weekend usage would not reach projections. To justify their conclusions, the authors should make use of data from existing toll roads and should further reflect on the specific nature of trip-making, congestion and toll pricing for recreational purposes.

O21-212

The following comments are made relative to documentation in the Traffic Model Description and Validation Report, Austin-Foust Associates Inc. October 2002. These issues have specific impacts on the analysis contained in the DEIS/SEIR:

19. Peaking Factors

Table 2-3, Page 2-15 of the Traffic Model Description and Validation Report, shows various factors used in the conversion of Average Daily Traffic (ADT) to peak hour volumes. The Daily Totals for this table do not make sense. Taken as a whole, there would be, on a daily basis, more trips from production sources to attractions. If these rates were correct, the entire study area would become devoid of automobiles within a period of a few days, rendering moot the need for a Foothill extension. If there are systematic errors that affect the peak periods and thereby the peak period forecasts, these need to be corrected.

O21-213

20. Trip Generation

Table 2-2, Page 2-16 of the Traffic Model Description and Validation Report is confusing and/or erroneous. It shows the trip generation rates used for 10 different variables. Taken by themselves, the rates for Single Family Dwellings and Mult-Family Dwellings are very low. In this table, SFDUs have a rate of 3.33 trips per day, whereas typical experience is 10.0 trips per day. However, if the documentation is taken at face value, additional generation from the home is attributable to population and income as well as employed residents. I am not familiar with trip generation equations that add these variables in a linear manner. I am familiar with logarithmic equations that use income and household population in an exponential manner that adjusts SFDU and MFDU rates to account for income and household population. Additional documentation is needed to justify the rates shown in this table to prove that realistic estimates are derived from the equations.

O21-214

21. Modal Choice at Orange/San Diego County Line

(Page 2-17 of the Traffic Model Description and Validation Report) Modal choice (drive alone vs. carpool) is performed for zones internal to the model at a zone-specific level, but it is not performed for this key County Line gateway. Instead, the forecasts have used the average carpool rate for total trips internal to the County. This may or may not be valid, depending on how typical carpooling at the gateway is. My experience is that HOV occupancy is highly variable by facility, and in particular, long-distance carpooling (as would be the case between the two counties) will be significantly different than the average of all local traffic. A more valid approach would be to make an auto occupancy count at the County Line and compare it to the Countywide value is used in the model. Occupancy for 2025 can then be adjusted based on the anticipated impacts of congestion. I would expect a higher occupancy for the County Line, leading to lower automobile traffic demand. A proper response to this question would be a comparison of observed auto occupancy at the County Line compared to the value used in the forecasts, combined with an evaluation of the impact of this issue on the comparison of alternatives.

O21-215

22. SCSAM Toll Diversion Curves

Figure 2-5, Page 2-27 of the Traffic Model Description and Validation Report, shows toll diversion curves based on a value of time of \$17.00 per hour. Intuitively, this is a very high value. It may be valid for work trips of well-paid executives, but it is out of line for "mom's taxi service to school." FHWA typically uses a value of \$9.00 per hour for these kinds of data. The curves are calibrated to supposedly match observed toll road volumes, so in theory, as long as the same pricing structure is carried forward into the future, similar results should be obtained. In fact, the future toll road prices are shown to increase. Since the curves have been calibrated for a single moment in time, it is not clear that the elasticities implicit in these curves and values would logically carry forward to the year 2025.

O21-216

As a minimum, the analysis should include sensitivity tests to show the sensitivity of the toll road to the level of toll, and to the value of time. I would be curious to know the impacts of calibrating a set of curves where the value of time is set to a more realistic value - \$9.00, for example.

23. SCSAM Incremental versus Ratio Forecast Adjustment Curve

(Page 2-29 of the Traffic Model Description and Validation Report) The authors are to be complimented in developing a methodology for removing the "calibration error" from their assignments at the link level of detail. This graphic and text on the reference page describe how this is done. The intent is to create a forecast in which existing volumes are used as a basis, and only the growth in traffic is added. This makes sense in trying to get the best possible forecasts for a specific link. But, depending on the degree to which the observed count and the calibrated 2001 model volumes are different, the process of using a "ratio" has the potential to distort the amount of traffic diverted to a new facility. Because the new facility does not exist in the base year, its correction factor is 1.0 by default. If a correction factor is used for parallel segments of I-5 that varies by alternative, a distortion is created by virtue of the correction factor process. I would like to see a table showing how volumes on I-5 and FTC-S vary by alternative with and without the correction process to see if there is a significant distortion in the benefit of reduced traffic on I-5.

O21-217

In addition, it is not clear to me how this correction process impacts VMT and VHT computations. The authors should make clear whether this correction process is used in the VMT/VHT computation reported in the main body of the DEIS. If they are used, the discussion should describe any possible induced statistical errors from using this process.

O21-218


CONCLUSION

The technical work and documentation in the area of traffic forecasting is incomplete and deficient in the areas discussed above. The work should be redone in accordance with these comments, and a revised DEIS/SEIR should be issued.

O21-219

Thank you for the opportunity to comment on this DEIS/SEIR.

Sincerely,



Stephen J. Lowens
P.E. Traffic #64

MEMORANDUM

TO: Louise Smart
FROM: John P. Long
DATE: September 30, 2003
SUBJECT: Expanded Discussion on Induced travel Demand

P/A No. 01166

Both EPA and FHWA members of the SOCTIIP Collaborative have asked how the travel forecasting process is addressing "induced travel demand". A September 8, 2003 memorandum outlined my peer review of this critical issue. At the September 11, 2003 Collaborative meeting, we received additional model summaries from Austin-Foust Associates plus some input from OCTA related to this topic. It was requested that we incorporate that information into the September 8, 2003 memorandum. This expanded memorandum includes this additional information.

Summary

It is important that the analysis of SOCTIIP alternatives attempts to quantify the impact of induced travel demand. To accomplish this, a "feedback loop" to both the trip distribution and mode choice models should be used to test "significantly different" transportation system alternatives. This iterative model feature would ensure that the "skimmed" travel times used for trip distribution and mode choice are reasonably consistent with the times predicted after assignment by a model.

The "need and purpose" statement for SOCTIIP focuses on the benefit that a project alternative would have on I-5 in South Orange County. To determine potential benefits to I-5, as well as to determine the transportation, air quality and noise impacts of a project alternative, the most important aspect of the travel forecasting process is determining the **change** in travel conditions (traffic volumes, speeds, delay, VMT, etc) that would result from an alternative when compared to the No Action Alternative. Therefore, I have focused most of my attention on how feedback loops would **alter the projected differences** in traffic volumes, VMT or VHT that would result from an alternative.

A sensitivity test shows that compared to the static trip distribution and mode choice used in the Draft Traffic and Circulation Technical Report, the feedback loops would:

- Marginally dampened the volume reduction (the benefit) on I-5 due to the FEC Alternative

- Result in a larger increase in VMT and a lower reduction in VHT due to the FEC Alternative

Background

The concept of “induced travel” has been debated by travel modelers and planners for decades, both because of the difficulties in measuring it and the misunderstandings about its definition and components. There are differing interpretations about its meaning in the context of highway capacity expansion. The primary issues concerning this debate are summarized in FHWA’s document: *Accounting for Induced Travel in Evaluation of Urban Highway Expansion*. This document concludes that:

“The debate about induced travel in metropolitan areas has arisen primarily because of the presumed negative environmental impacts of increased vehicle use. These impacts generally do not vary significantly by time of day. Thus, it is clear that what is of concern to environmental groups is additional *daily vehicle miles* of travel that might be generated at the *regionwide* level, and occasionally at the *corridor or facility* level. In other words, of relevance in the induced travel debate are changes in: (1) *vehicle*, not person travel; (2) *vehicle miles*, not vehicle trips; (3) *daily vehicle miles*, not peak period or peak hour vehicle miles; and (4) *regionwide* daily vehicle miles, or daily vehicle miles in a *specific corridor* or on a *specific facility*. In this paper, therefore, we define “induced” travel as an increase in daily vehicle miles of travel, with reference to a specific geographic context.”

However, the “need and purpose statement” for SOCTIPP focuses on how the various alternatives would **benefit I-5**. Therefore, the relevance of induced travel for SOCTIPP must also include its impact on the estimated reduction in peak period traffic volumes on segments of I-5 in South Orange County and the resulting improvements to peak period levels of service and speed/delay on I-5 from the various corridor improvement alternatives.

In general terms, induced travel can come from the following sources:

1. A change in trip generation – either an increase in the number of daily total person trips related to development or an increase in motorized person trips *per development unit*
2. A change in trip distribution - an increase in average motorized person trip distance
3. A change in mode choice - an increase in share of person travel by private motorized vehicles
4. A change in route choice - A shift in vehicle travel to new or improved facilities

from unimproved facilities within a corridor, or to an improved corridor due to diversion of traffic from other corridors.

When the frame of reference is the regionwide travel market, induced travel comes only from the first three sources. The fourth source comes into play at the facility and corridor levels, and may be more appropriately defined as "diverted" travel.

It is important that the model used for SOCTIIP follows nationally accepted "best practices" in the engineering profession. Under "best practices", the model should be capable of forecasting differences in trip distribution, mode choice and route choice (traffic assignment) between all alternatives. Demonstrating differences in trip generation due to transportation alternatives is difficult to assess without an integrated land use/transportation model. For the SOCTIIP analysis, the impact of capacity increasing alternatives on trip generation may need to be discussed qualitatively. A "feedback loop" to both the trip distribution and mode choice models should be used to test "significantly different" transportation system alternatives. This iterative model feature would ensure that the "skimmed" travel times used for trip distribution and mode choice are reasonably consistent with the times predicted after assignment by a model.

Forecasting Process in Draft Report

In the Draft Traffic and Circulation Technical Report, the modeling procedure for evaluating the SOCTIIP scenarios utilizes "base" 2025 trip tables from OCTA's regional travel demand model (OCTAM 3.1) for all of the future scenarios. As I have stated in previous peer review memoranda, the use of a "static" distribution of trips for evaluating those SOCTIIP transportation alternatives that would have substantially different amounts of traffic capacity in the constrained SOCTIIP corridor is not recommended under best practices.

In 2002, a sensitivity analysis was conducted on three meaningfully different SOCTIIP analysis scenarios and was documented in Section 5.2 of the Draft Traffic Model Description and Validation Report. The OCTAM 3.1 model was used to evaluate these scenarios, but OCTA did not apply feedback loops in those model runs. The trip distribution comparison in Section 5.2 focused only on travel from the I-5 cordon. The information and discussion provided in that section indicates that there was only minor variations in the I-5 traffic distribution. Based on that information, and the belief that the use of "the static distribution of trips essentially makes the evaluation of transportation alternatives easier to understand", it was the author's judgment that use of a static distribution pattern for all of the SOCTIIP alternatives is "suitable".

After reviewing this documentation, EPA and FHWA representatives continued to have concerns that induced travel may not be adequately addressed. At the February 2003 Collaborative meeting, requests were made to use a trip distribution feedback looping

process to determine if it would significantly change the results documented in the Draft Traffic and Circulation Technical Report.

Test of Trip Distribution Feedback Loops

The subarea travel model for South Orange County, SCSAM, is used to assign traffic volumes to a detailed roadway network based on "vehicle trip tables" produced by OCTAM 3.1. Since SCSAM relies on OCTAM 3.1 for its trip distribution and mode choice estimates, one must use OCTAM 3.1 to determine if key components of "induced travel" demand would be significant. At the request of TCA and Austin-Foust Associates, OCTA recently conducted a new sensitivity analysis on selected SOCTIIP alternatives using a trip distribution and mode choice feedback looping process. This feedback process has also been referred to as "speed recycling".

The estimates of travel times between all of the traffic analysis zones (TAZs) that are used in the OCTAM 3.1 trip distribution model is based on average congested (peak period) travel speeds by facility type (i.e. freeway, arterial, etc) and area type (urban, suburban, etc.). These congested travel speeds by category are validated at a regional level. The link-specific travel speed and times that result from the OCTAM 3.1 traffic assignment are not used directly in defining the model's trip distribution.

When the feedback loops to trip distribution model are invoked in OCTAM 3.1, the model's estimates of congested speeds that are calculated for each roadway link are recycled and used to determine revised travel times between TAZs and a revised trip distribution is estimated for each model loop. Typical practice is to use measures of changes in trip length, VMT or numbers of trip between areas to determine if the looping process is stabilizing after each model loop. For their test, OCTA recycled congested speeds five times for each alternative since SCAG uses five loops in its standard feedback process.

The sensitivity test was conducted on the two 2025 scenarios: buildout of the MPAH/RTP with and without the FEC Alternative. For each scenario, model runs were made with and without the model feedback loops (speed recycling). In addition, Base Year (2000) model runs were conducted with and without the model feedback loops.

Austin-Foust Associates documented some results of these model runs in two memoranda, dated July 15 and July 23, 2003 (see attached), including:

- Changes in vehicle-miles of travel (VMT) and vehicle-hours of travel (VHT) in South Orange County
- Changes in daily volumes on screenlines

In addition, I requested a series of model plots that show the differences between the model runs with and without the model feedback loops (speed recycling). The key conclusions from my review of this information are outlined in the following section.

Conclusions from Test

The “need and purpose” statement for SOCTIIP focuses on the benefit that a project alternative would have on I-5 in South Orange County. To determine potential benefits to I-5, as well as to determine the transportation, air quality and noise impacts of a project alternative, the most important aspect of the travel forecasting process is determining the **change** in travel conditions (traffic volumes, speeds, delay, VMT, etc) that result from that alternative when compared to the No Action Alternative. Therefore, I have focused most of my attention on how feedback loops (speed recycling) would alter the projected differences in traffic volumes, VMT and VHT due to an alternative.

Table 1 shows the projected 2025 volume differences for the PM peak hour on I-5 and SR 241 due to the FEC alternative by comparing it to the No Action Alternative. The first column of these differences is from the original forecasting method (static trip tables from OCTAM that are assigned using SCSAM). The second column reflects a distribution with feedback loops. Comparing these columns is one way of looking at induced travel, and I can make these observations:

- The provision of feedback loops shifted the change in peak-direction (southbound) volume upward (less negative or more positive), consistent with the expectation of induced travel due to trip redistribution. This means that the feedback loops dampened the volume reduction (the benefit) on I-5 in the peak direction, by up to 8 percent for the locations shown. The feedback loops also increases the peak-direction volume on SR 241 by up to 6 percent from the original forecasts.
- In the non-peak (northbound) direction of I-5, however, most (but not all) volume changes became more negative due to feedback. It appears that the FEC would not reduce travel times on I-5 enough to induce shifts of other trips to destinations along I-5., and that in the less-congested non-peak (northbound) direction, the FEC would attract a small amount of south county-generated trips away from destinations along I-5 toward destinations reached by SR 241,

Table 1 also examines these same changes on I-5 and SR 241 within the assignments from the OCTAM model. Some observations include:

- Most of the changes in volume due to the proposed freeway are less in the OCTAM model than in the SCSAM. That is, the OCTAM model indicates the FEC Alternative would not benefit I-5 as much as the volume reductions

Table 1
Difference in Projected 2025 PM Peak Hour Traffic Volumes on Segments of I-5 and SR 241
FEC Alternative - No Action Alternative
With and Without Trip Distribution Feedback Loops (Speed Recycling)

| Freeway | Segment | Direction | SCSAM | | OCTAM 3.1 | |
|---------|----------------------|-----------|-----------------------|--------------------|-----------------------|--------------------|
| | | | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | With Feedback Loop |
| I-5 | North of Alicia | NB | -582 | -632 | -386 | -293 |
| | | SB | -787 | -727 | -287 | -172 |
| | North of Oso | NB | -682 | -730 | -418 | -304 |
| | | SB | -895 | -818 | -211 | -324 |
| | North of Ortega | NB | -1,065 | -993 | -1,003 | -784 |
| | | SB | -1,111 | -1,057 | -823 | -462 |
| | South of Pico | NB | -1,745 | -1,870 | -993 | -909 |
| | | SB | -2,366 | -2,349 | -951 | -510 |
| SR 241 | North of Oso | NB | 1,951 | 2,193 | 1,171 | 1,182 |
| | | SB | 2,517 | 2,650 | 1,391 | 1,277 |
| | North of North River | NB | 2,128 | 2,367 | 1,680 | 1,538 |
| | | SB | 3,117 | 3,323 | 2,570 | 1,962 |
| | North of Pico | NB | 2,309 | 2,563 | 1,771 | 1,653 |
| | | SB | 2,751 | 2,920 | 1,514 | 985 |
| | South of Pico | NB | 1,885 | 2,081 | 1,190 | 1,082 |
| | | SB | 2,526 | 2,614 | 1,134 | 649 |

Source: Plots provided by Austin-Foust Associates

projected from SCSAM. Reasons are unclear, but I suspect this to be due to differences in trip assignment parameters (capacities, speed-flow curves, toll-road and HOV assignment methodologies), and network detail (presence or absence of minor arterials and collectors).

- The effects of induced travel in OCTAM are harder to identify clearly from these data. Many southbound volume changes shift in the direction expected due to adding feedback (less negative or more positive), and more than the SCSAM assignments did. However, some shift significantly in the opposite direction. Most northbound volume changes simply reduce in magnitude with feedback compared to without. Reasons are difficult to propose, since they depend on numerous interactions involving initial speed assumptions

The attached memoranda from Austin-Foust Associates dated July 15 and July 23, 2003 present comparisons of the OCTAM's VMT, VHT, and screenline volumes in south Orange County, without and with feedback (speed recycling). At the September 11 Collaborative meeting, Austin-Foust Associates provided additional summary information on VMT, VHT, and screenline volumes from subarea model, SCSAM.

Table 2 below shows the VMT and VHT change between FEC Alternative and the No-Action Alternative from both OCTAM 3.1 and SCSAM, and compares these changes between the no-feedback and with-feedback cases. Table 3 and 3A make the same comparison for the screenlines that cross all relevant north-south roadways using the OCTAM 3.1 and SCSAM models respectively.

From these data, the effects of induced travel in the OCTAM model generally follow expected patterns, despite the difficulty of interpreting some individual link data mentioned above.

- Induced travel appears to account for a greater growth in VMT due to the FEC Alternative according the OCTAM model with speed recycling, compared to the growth without speed recycling.
- The FEC Alternative still shows a net travel time savings (reduction in VHT) in the study area, but much less according to the model with speed recycling, compared to the original model without.
- In Table 3, the reduction of daily volume on I-5 is less with feedback than without, and the change in total screenline volumes is always an increase, while the no-feedback changes in total screenline volumes is a lesser increase or a decrease.

| Table 2 Difference in VMT and VHT in South Orange County No Action Alternative versus FEC Alternative With and Without Trip Distribution Feedback Loops (Speed Recycling) | | | | | | | | | |
|--|-------|------------------|---------------|------------------|---------------|---------------------------|--------------|--------------------|--------------|
| Time Period | | No Action | | FEC Alternative | | Difference FEC - No Build | | | |
| | | Without Feedback | With Feedback | Without Feedback | With Feedback | Without Feedback Loop | | With Feedback Loop | |
| | | | | | | Difference | % Difference | Difference | % Difference |
| SCSAM | | | | | | | | | |
| Vehicle-Miles of Travel | AM | 4,511,612 | 4,510,360 | 4,529,710 | 4,575,189 | 18,097 | 0.4% | 64,829 | 1.4% |
| | PM | 6,959,765 | 6,994,859 | 7,003,351 | 7,096,565 | 43,586 | 0.6% | 101,706 | 1.5% |
| | Daily | 21,865,295 | 22,003,241 | 21,933,269 | 22,243,418 | 67,974 | 0.3% | 240,177 | 1.1% |
| Vehicle-Hours of Travel | AM | 114,380 | 114,189 | 115,116 | 115,955 | 736 | 0.6% | 1,766 | 1.5% |
| | PM | 180,386 | 180,907 | 182,023 | 183,847 | 1,636 | 0.9% | 2,940 | 1.6% |
| | Daily | 548,423 | 550,285 | 551,766 | 557,431 | 3,344 | 0.6% | 7,146 | 1.3% |
| OCTAM 3.1 | | | | | | | | | |
| Vehicle-Miles of Travel | AM | 3,314,724 | 3,297,777 | 3,327,362 | 3,361,081 | 12,638 | 0.4% | 63,304 | 1.9% |
| | PM | 4,683,432 | 4,699,346 | 4,704,072 | 4,789,804 | 20,640 | 0.4% | 90,458 | 1.9% |
| | Daily | 15,305,739 | 15,376,567 | 15,337,017 | 15,603,497 | 31,278 | 0.2% | 226,930 | 1.5% |
| Vehicle-Hours of Travel | AM | 109,747 | 104,124 | 101,645 | 101,786 | -8,102 | -7.4% | -2,338 | -2.2% |
| | PM | 145,763 | 144,799 | 135,473 | 140,957 | -10,290 | -7.1% | -3,842 | -2.7% |
| | Daily | 424,977 | 420,089 | 404,234 | 413,745 | -20,743 | -4.9% | -6,344 | -1.5% |
| Source: Austin-Foust Associates | | | | | | | | | |

Table 3
Comparison of Projected Daily Volumes Crossing South Orange County Screenlines
Based on OCTAM 3.1 Model
No Action Alternative versus FEC Alternative
With and Without Trip Distribution Feedback Loops (Speed Recycling)

| Screenline | Facility | No Action | | FEC Alternative | | Difference FEC - No Build | | | |
|----------------------|----------------|-----------------------|--------------------|-----------------------|--------------------|---------------------------|---------|--------------------|---------|
| | | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | | With Feedback Loop | |
| | | | | | | Volume | Percent | Volume | Percent |
| A - S of Pico | I-5 | 185,574 | 186,508 | 166,077 | 171,353 | -19,497 | -10.5% | -15,155 | -8.1% |
| | Other Roads | 29,228 | 28,634 | 50,000 | 45,886 | 20,772 | 71.1% | 17,252 | 60.3% |
| | All Facilities | 214,802 | 215,142 | 216,077 | 217,239 | 1,275 | 0.6% | 2,097 | 1.0% |
| B - N of Pico | I-5 | 253,094 | 256,477 | 234,104 | 244,605 | -18,990 | -7.5% | -11,872 | -4.6% |
| | Other Roads | 47,882 | 46,404 | 66,991 | 67,128 | 19,109 | 39.9% | 20,724 | 44.7% |
| | All Facilities | 300,976 | 302,881 | 301,095 | 311,733 | 119 | 0.0% | 8,852 | 2.9% |
| C - N of Ortega | I-5 | 299,915 | 304,047 | 275,365 | 288,918 | -24,550 | -8.2% | -15,129 | -5.0% |
| | Other Roads | 205,209 | 204,638 | 233,363 | 235,996 | 28,154 | 13.7% | 31,358 | 15.3% |
| | All Facilities | 505,124 | 508,685 | 508,728 | 524,914 | 3,604 | 0.7% | 16,229 | 3.2% |
| I - N of Alicia | I-5 | 357,270 | 366,088 | 347,277 | 359,783 | -9,993 | -2.8% | -6,305 | -1.7% |
| | Other Roads | 547,504 | 536,516 | 555,174 | 548,064 | 7,670 | 1.4% | 11,548 | 2.2% |
| | All Facilities | 904,774 | 902,604 | 902,451 | 907,847 | -2,323 | -0.3% | 5,243 | 0.6% |
| J - S of I-405 Split | I-5 | 421,327 | 433,137 | 411,275 | 427,841 | -10,052 | -2.4% | -5,296 | -1.2% |
| | Other Roads | 514,391 | 508,799 | 512,615 | 518,236 | -1,776 | -0.3% | 9,437 | 1.9% |
| | All Facilities | 935,718 | 941,936 | 923,890 | 946,077 | -11,828 | -1.3% | 4,141 | 0.4% |

Source: July 15 and 23, 2003 memoranda from Austin-Foust Associates

Table 3A
Comparison of Projected Daily Volumes Crossing South Orange County Screenlines
Based on SCSAM
No Action Alternative versus FEC Alternative
With and Without Trip Distribution Feedback Loops (Speed Recycling)

| Screenline | Facility | No Action | | FEC Alternative | | Difference FEC - No Build | | | |
|----------------------|----------------|-----------------------|--------------------|-----------------------|--------------------|---------------------------|---------|--------------------|---------|
| | | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | | With Feedback Loop | |
| | | | | | | Volume | Percent | Volume | Percent |
| A - S of Pico | I-5 | 261,132 | 261,736 | 235,345 | 235,849 | -25,787 | -9.9% | -25,887 | -9.9% |
| | Other Roads | 31,311 | 31,662 | 56,645 | 59,722 | 25,334 | 80.9% | 28,060 | 88.6% |
| | All Facilities | 292,443 | 293,398 | 291,990 | 295,571 | -453 | -0.2% | 2,173 | 0.7% |
| B - N of Pico | I-5 | 279,047 | 284,301 | 259,323 | 266,910 | -19,724 | -7.1% | -17,391 | -6.1% |
| | Other Roads | 52,898 | 51,293 | 72,911 | 77,915 | 20,013 | 37.8% | 26,622 | 51.9% |
| | All Facilities | 331,945 | 335,594 | 332,234 | 344,825 | 289 | 0.1% | 9,231 | 2.8% |
| C - N of Ortega | I-5 | 316,936 | 322,801 | 300,173 | 308,763 | -16,763 | -5.3% | -14,038 | -4.3% |
| | Other Roads | 242,830 | 239,225 | 261,686 | 266,374 | 18,856 | 7.8% | 27,149 | 11.3% |
| | All Facilities | 559,766 | 562,026 | 561,859 | 575,137 | 2,093 | 0.4% | 13,111 | 2.3% |
| I - N of Alicia | I-5 | 350,347 | 352,478 | 342,921 | 345,505 | -7,426 | -2.1% | -6,973 | -2.0% |
| | Other Roads | 502,779 | 497,940 | 510,311 | 509,106 | 7,532 | 1.5% | 11,166 | 2.2% |
| | All Facilities | 853,126 | 850,418 | 853,232 | 854,611 | 106 | 0.0% | 4,193 | 0.5% |
| J - S of I-405 Split | I-5 | 424,110 | 429,497 | 417,109 | 421,888 | -7,001 | -1.7% | -7,609 | -1.8% |
| | Other Roads | 505,107 | 502,407 | 512,113 | 511,993 | 7,006 | 1.4% | 9,586 | 1.9% |
| | All Facilities | 929,217 | 931,904 | 929,222 | 933,881 | 5 | 0.0% | 1,977 | 0.2% |

Source: July 15 and 23, 2003 memoranda from Austin-Foust Associates

Like OCTAM, SCSAM results in a greater growth in VMT due to the FEC Alternative with speed recycling, compared to the growth without speed recycling. However, there is an unexpected change in VHT from SCSAM. This subarea model projects that the FEC Alternative would increase VHT, even with a static trip distribution (without feedback loops). While this increase is very small (a 0.6 percent increase in daily VHT in South Orange County), the model's assignment process should predict some systemwide travel time savings due to the toll road extension. The reasons for this result are unclear.

SCSAM results in smaller changes in traffic volumes and VMT due the use of feedback loops than OCTAM 3.1

In summary, the test shows that compared to the static trip distribution and mode choice used in the Draft Traffic and Circulation Technical Report, the feedback loops appear to:

- Marginally dampened the volume reduction (the benefit) on I-5 due to the FEC Alternative
- Result in a larger increase in VMT and a lower reduction in VHT due to the FEC Alternative

At the September 11, 2003 Collaborative meeting, Ron Taira of OCTA pointed out the feedback loops (speed recycling) were not used in the calibration and validation of OCTAM 3.1. Without recalibrating the model, he cautioned the Collaborative about relying heavily on the results of the sensitivity test. While this test of the use of feedback loops in OCTAM 3.1 does show some expected trends, he cautioned that the magnitude of the differences could be smaller if the model was recalibrated with the feedback loops.

When reviewing the results of the sensitivity test, I have not tried to answer the following questions:

- 1). Would the use of feedback loops (speed recycling) significantly affect how any of the SOCTIIP alternatives meet project "need and purpose?"
- 2). Would the change in volumes or VMT due to feedback loops result in additional significant traffic or air quality impacts?

Those questions must be answered by the consultants preparing the EIS/EIR. The summary of volume and VMT differences between two significantly different alternatives (No Action and FEC) that are provided in this and the attached memoranda may or may not be enough to address these questions.

I must also make a caveat behind my conclusions. I have had to rely on the data provided by OCTA and Austin-Foust. I do not have the actual model code or formulas, or input or output data, in either computer or printed form. I can only draw my conclusions from the information I have at hand.

Table 2a

Difference in VMT and VHT in South Orange County

No Action Alternative versus FEC Alternative

With and Without Trip Distribution Feedback Loops (Speed Recycling)

| Time Period | No Action | | FEC Alternative | | Difference FEC - No Build | | | |
|---------------------------------|-----------------------|--------------------|-----------------------|--------------------|---------------------------|--------------|--------------------|--------------|
| | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | With Feedback Loop | Without Feedback Loop | | With Feedback Loop | |
| | | | | | Difference | % Difference | Difference | % Difference |
| SCSAM | | | | | | | | |
| Vehicle-Miles of Travel | | | | | | | | |
| AM | 4,414,869 | 4,412,953 | 4,422,906 | 4,466,678 | 8,037 | 0.2% | 53,725 | 1.2% |
| PM | 6,814,007 | 6,845,941 | 6,839,607 | 6,928,495 | 25,600 | 0.4% | 82,554 | 1.2% |
| Daily | 21,481,421 | 21,610,933 | 21,504,035 | 21,801,948 | 22,614 | 0.1% | 191,015 | 0.9% |
| Vehicle-Hours of Travel | | | | | | | | |
| AM | 134,176 | 133,236 | 129,505 | 130,335 | -4,672 | -3.5% | -2,901 | -2.2% |
| PM | 219,914 | 219,808 | 208,721 | 209,954 | -11,192 | -5.1% | -9,854 | -4.5% |
| Daily | 602,621 | 602,929 | 584,219 | 589,071 | -18,402 | -3.1% | -13,858 | -2.3% |
| OCTAM 3.1 | | | | | | | | |
| Vehicle-Miles of Travel | | | | | | | | |
| AM | 3,314,724 | 3,297,777 | 3,327,362 | 3,361,081 | 12,638 | 0.4% | 63,304 | 1.9% |
| PM | 4,683,432 | 4,699,346 | 4,704,072 | 4,789,804 | 20,640 | 0.4% | 90,458 | 1.9% |
| Daily | 15,305,739 | 15,376,567 | 15,337,017 | 15,603,497 | 31,278 | 0.2% | 226,930 | 1.5% |
| Vehicle-Hours of Travel | | | | | | | | |
| AM | 109,747 | 104,124 | 101,645 | 101,786 | -8,102 | -7.4% | -2,338 | -2.2% |
| PM | 145,763 | 144,799 | 135,473 | 140,957 | -10,290 | -7.1% | -3,842 | -2.7% |
| Daily | 424,977 | 420,089 | 404,234 | 413,745 | -20,743 | -4.9% | -6,344 | -1.5% |
| Source: Austin-Foust Associates | | | | | | | | |